PLANNING DIVISION STAFF REPORT

CASE NUMBER: CU2024-0014

APPLICANT/REPRESENTATIVE: Nampa Paving – Randy Wood & Danny Bower/

Alan Mills

PROPERTY OWNER: Christie J. Wood

APPLICATION: Conditional Use Permit (CUP) to allow mineral extraction

(long-term) on parcel R35953010 (subject property).

LOCATION: The subject property is an approximate 40-acre parcel directly

south of Boise River Road, comprised of the SE quarter of the

NE quarter of Section 4 of township 4N range 4W.

ANALYST: Dan Lister, Planning Supervisor

REQUEST:

The applicant, Nampa Paving, requests a conditional use permit to allow mineral extraction (long-term) on parcel R35953010. The use includes excavation, crushing, access, and stockpiling in a single phase on 38.25 acres. The request is for a duration of 15 years. See Exhibit A for more details.

PUBLIC NOTICFICATION:

Neighborhood meeting conducted on: May 14, 2024
 Neighbor notification within 1,000 feet was mailed: April 28, 2025
 Newspaper notice published: May 2, 2025
 Notice posted on-site: April 30, 2025

BACKGROUND:

The subject property is zoned "A" (Agricultural) and appears to be an original parcel (created on or before September 6, 1979, per CCCO §07-02-03). The parcel has no structures and receives an agricultural tax exemption for the agricultural use of the parcel (Exhibit B.1).

HEARING BODY ACTION:

Pursuant to Canyon County Code of Ordinance (CCCO) §07-07-01 every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance, or other detriments 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 impacts, 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)

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Require the provision for on-site or off-site public facilities or services; (6) Require more restrictive standards than those generally required in this chapter; or (7) Mitigate the negative impacts of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the county (CCCO §07-07-17).

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

OPTIONAL MOTIONS:

Approval of the Application: "I move to approve for Case No. CU2024-0014, Nampa Paving, finding the application **does** meet the criteria for approval under Article §07-07-05 of the Canyon County Code of Ordinances, 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 Case No. CU2024-0014, Nampa Paving, finding the application **does not** meet the criteria for approval under Article §07-07-05 of the Canyon County Code of Ordinances, **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 Case No. CU2024-0014, Nampa Paving, to a [date certain or uncertain]

HEARING CRITERIA:

Table 1. Conditional Use Permit Review Criteria Analysis

HEARING CRITERIA (CCCO §07-07-05): The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs: Compliant **County Ordinance and Staff Review** Yes No N/A **Code Section Analysis** Is the proposed use permitted in the zone by a conditional use permit? (1) 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 "the various Xactivities associated with the extraction of mineral resources, including, but not Staff Analysis limited to, gravel, from the ground." Per CCCO §07-07-03, the applicant submitted a conditional use permit application on May 29, 2024 (Exhibit A). (2) What is the nature of the request? Per Exhibit A.2, the nature of the request consists of operating a sand and gravel pit on an approximately 40-acre parcel, R35953010. The request is for a duration of 15 years. Processing activities at the site will include crushing and sorting of mined gravel material. Stockpile, scale house, and mining locations are shown on \boxtimes the proposed site plan (Exhibit A.2 & A.6). A batch plant is not requested at this **Staff Analysis** time. Gravel pits will be excavated in one phase. Berms are proposed to surround the mineable areas to provide erosion and runoff control. A 50' setback is proposed along the property boundaries (Exhibit A.2).

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				 Boise River Road will serve as an access road for the operation. The pit access point will be directly east of Boise River Road (Exhibit A.2). 				
				 Operational hours will be from 7 AM to 7 PM, Monday through Saturday. Occasionally, there will be a need to operate the aggregate pit with successive shifts to maintain operations for 24 hours for several days. Crushing of gravel will not occur after 7 PM or before 7 AM (Exhibit A.2 & A.6). 				
				 The request will include 15 employees during peak operations. Parking locations are delineated on the proposed site plan (Exhibit A.2 & A.6). 				
				 The reclamation plan approved by the Idaho Department of Lands proposes that the gravel pits be reclaimed into ponds with access points, with boat access and beaches (Exhibit A.2 & A.6). 				
			(3)	Is the proposed use consistent with the comprehensive plan?				
				The proposed use is consistent with the 2030 Canyon County Comprehensive Plan.				
			Staff Analysis	The 2030 Canyon County Comprehensive Plan designated the subject parcel as "agriculture" on the Future Land Use map (Exhibit B.2c).				
				The subject parcels are located in the Notus Area of City Impact. The city does not have a future land use designation (Exhibit B.2d).				
				With conditions, the request aligns with the Comprehensive Plan, including the following goals and policies:				
				 Property Rights G1.01.00: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare." 				
\boxtimes				 Property Rights G1.02.00: "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." 				
				 <u>Population G2.02.00</u>: "Promote housing, business, and service types needed to meet the demand of the future and existing population." 				
				 <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." 				
				• <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."				
		• <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."				
		<u>Natural Resources G5.03.00</u> : "Support the conservation of productive mineral lands and discourage incompatible uses upon or adjacent to these lands."				
		Natural Resources P5.03.01: "Sand and gravel mining operations should be located to avoid adverse impacts on the river channel and promote compatibility with adjacent uses."				
		 Natural Resources G5.07.00: "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." 				
		See all case analyses within this report for supporting evidence. See Section 6 of this report for recommended conditions of approval.				
	(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	As conditioned, 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. The subject parcel is used for livestock and grazing (Exhibit A.2). The property consists of approximately 3.07 acres of Class VI - Least Suited soils, with the remainder being comprised of Class IV - Moderately Suited soils. Least-suited soils make up 8% of the ground. Approximately 92% is considered prime farmland if irrigated and drained (Exhibit B.2h). The area surrounding the subject parcels consists of existing mineral extraction uses (Exhibit A.2). Sunroc, Idaho Construction and Materials, Knife Ricer Corporation, JMAC Resources, Thueson Construction Inc., and Western Construction Inc. are some of the existing mineral extraction businesses in the general area (Exhibit B.2i).				

To the north is Boise River Road, an arterial road, smaller parcels with dwellings, and Sunroc Corporation's approved mineral extraction uses:

CU2006-180 (Exhibit B.3a): 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.



• PH2012-1011 (Exhibit B.3b): Expansion of the CU2006-180 onto Parcel R35950010, approximately 39 acres.



• PH2016-67 (Exhibit B.3c): Sunroc Corporation is requesting a conditional use permit to install and operate an asphalt batch plant on tax parcels R38584, R35952-010, R38550-011, and R35950-010. The subject parcels are approved for mineral extraction uses (CU2006-180/CU2012-1011).

To the south are large agricultural parcels owned by Sutro Corporation, a mining company. Approximately 2,600 feet south is an approved minimal extraction use for Idaho Materials and Construction:

 <u>CU2020-0005 (Exhibit B.3d)</u>: Mineral extraction and batch plant on three parcels, approximately 637 acres, for a 40-year duration (expires January 7, 2061).



To the east are agricultural parcels with homesteads (Exhibit C & B.2a). To the west is Sunroc Corporation's approved mineral extraction use (CU2006-180, Exhibit B.3a).

Potential Impacts/Mitigation:

Comment letters were received expressing concerns regarding the use and impact on the surrounding area, due to an increase in dust, traffic, noise, floodplain, and lighting related to the use (Exhibits D.2 & E1 -E.3).

The applicant proposes the following to mitigate impacts:

- <u>Dust</u>: Best management practices will ensure that dust generation from roadways will be limited including maintaining a 50-foot setback from the mining areas from the property line (Exhibit A.2). To control fugitive dust, regular watering of in-pit roads, access roads, and active work areas will be carried out using water trucks, sprinklers, and spray (Exhibit A.6). See Condition 1, in Section 6 of this report.
- Noise: The nearest dwelling is approximately 300 feet north and east of the subject parcel (Exhibit C). The applicant proposed hours of operation similar to operation found in the area (Exhibit B.3). Perimeter berm consisting of vegetated topsoil and a 50' buffer setback between the use and property line are proposed to reduce impacts.
 - O The hours of operation will be 7 AM to 7 PM, Monday through Saturday. Occasionally, there will be a need to operate the aggregate pit with successive shifts to maintain operations for 24 hours for several days. The 24-hour operations will be due to conditions improved on construction projects that are centered on nighttime operations. Crushing of gravel will not occur after 7 pm or before 7 AM. (Exhibits A.2 & A.3).

As conditioned, noise emissions shall follow the regulations and standards of OSHA and MSHA, back-up alarms shall be restricted to non-beeping alarms in compliance with OSHA/MSHA requirements. See Section 6 of this report for recommended conditions of approval.

- <u>Drainage/Dewatering</u>: The applicant states the area has a high-water table starting 21-40 inches below the ground surface. Dewatering will be necessary to access and extract sand and gravel. Dewatering of excavated areas will be facilitated by using pumps, moving groundwater into constructed trenches prior to discharging into an unnamed irrigation ditch (Exhibit A.2 & A.6). Stormwater drainage will be completed to meet federal, state, and local requirements. See Condition 1 in Section 6 of this report.
- <u>Floodplain</u>: The parcel is located in an "AE" Flood Zone (Exhibits D.5 D.7). A Floodplain development permit, evacuation plan, and no-rise certification demonstrating the use will have no adverse effect should the area flood was submitted (Exhibits D.1, D.7 & D.8).

Flood District #11 initially submitted a comment letter not in favor 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 D.6). An amended letter of no opposition was received after review of the "no-rise certification" was completed (Exhibit D.6a).

Canyon County's Floodplain Administrator provides a comment letter requiring the submittal of a floodplain development permit, outside agency approvals, a letter of map revision to the FEMA FIRM maps, and an evacuation plan (Exhibit D.5). A floodplain development permit was submitted by the applicant on September 25, 2024 (DP2024-0032). A norise certificate and evacuation plan were submitted on May 20, 2025 (Exhibit A.7).

The Idaho Department of Water Resources Floodplain Specialist had the following comments (See Exhibit D.7):

- "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 21377 Boise River Road, Caldwell on 39.92-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 that indicates where the stored equipment and porta-potties will be relocated to in the event of flooding."

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.5 - D.7) shall be adequately addressed prior to commencement of use (see condition of approval #6).	
			(5)	Will adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems be provided to accommodate the use?	
				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.	
				Water: No well is proposed (Exhibits A.2 & A.3).	
				Sewer: No septic system is proposed (Exhibits A.2 & A.3). Southwest District Health does not require a nutrient pathogen study and finds no septic system proposed. Therefore, has no concerns regarding the request (Exhibit D.1). Similar uses in the area use portable restrooms to accommodate employees on-site.	
\boxtimes			Staff Analysis	Irrigation: The properties have gravity irrigation served by surface water rights that come from unnamed ditches and overflows (Exhibit A.2). No comments were received from the Lower Center Point Ditch Company or Eureka Ditch Company No. 2. Conditions have been included to ensure irrigation facilities are protected, and any alterations include approval by the local jurisdiction. See Condition 1 in Section 6 of this report.	
				<u>Drainage</u> : The area has a high-water table starting 21-40 inches below the ground surface. Dewatering will be necessary to access and extract sand and gravel. Dewatering of excavated areas will be facilitated by using pumps, moving groundwater into constructed trenches prior to discharging into an unnamed irrigation ditch (Exhibits A.2 & A.6). Stormwater drainage will be completed to meet federal, state, and local requirements. <i>See Condition 1, in Section 6 of this report.</i>	
					<u>Utilities</u> : Powerlines exist along Boise River Road (Exhibit C). The applicant would work with Idaho Power for access and use of the service, if necessary. Companies such as Idaho Power, Intermountain Gas, Ziply, and CenturyLink were noticed. No comments were received.
			(6)	Does legal access to the subject property for the development exist, or will it exist at the time of development?	
\boxtimes			Staff Analysis	Agricultural access exists at the northeast boundary of the parcel off Boise River Road (Exhibit C). The request proposes access at the northwest corner of the property (Exhibit A.2).	
				Prior to the commencement of use, Golden Gate Highway District #3 (GGHD) will require an approach permit to ensure access complies with commercial approach standards (Exhibit D.4). See Condition No. 9 in Section 6 of this report.	
			(7)	Will there be undue interference with existing or future traffic patterns?	
			Staff Analysis	The applicant finds that traffic will not be dramatically impacted by the operation, and vehicle types will be consistent with the traffic existing in the area (Exhibit A.2).	

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				Golden Gate Highway District #3 (GGHD) finds that a traffic impact study is not warranted for the requested use. However, pavement analysis and improvement/reconstruction recommendations prepared by a registered licensed engineer will be required, subject to a scoping meeting with GGHD (Exhibit D.4). See Condition No. 9 in Section 6 of this report.
				Idaho Transportation Department requires trip generation numbers and distribution patterns to determine cumulative traffic impacts and necessary improvements (Exhibit D.3). See Condition No. 10 in Section 6 of this report.
			(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?
				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 request is not anticipated to negatively impact services that would require additional public funding in order to meet the needs created by the requested use.
				School Facilities: The subject property is serviced by Notus School District #135. Agency comments were sent out on February 10, 2025, and April 28, 2025, and no comments were received by the school district.
			Staff Analysis	Police and Fire protection: 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. Agency notice was sent out on February 10, 2025, and April 28, 2025, and no comments were received by the Sheriff's Office.
				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 February 10, 2025, and April 28, 2025, and no comments were received.
				Irrigation Facilities: The subject property is under the Lower CenterPoint Ditch Company and Eureka Irrigation District's jurisdiction. See Table 1, Section (5) for information on irrigation.

Table 2. Article 14 - Use Standards Criteria Analysis - Mineral Extraction (Long Term) -

USE STANDARDS CCCO §07-14-03(1): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix).

Compliant			County Ordinance and Staff Review					
Yes	No	N/A	Code Section	Analysis				
§07-	§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:							

		(A)		The uses of the surrounding properties in the determination of the compatibility			
\boxtimes			(A)	of the proposed application with such uses;			
			Staff Analysis	See Table 1, Criteria 07-07-05(3) and (4) supporting evidence.			
			(B)	Duration of the proposed use;			
\boxtimes			Staff Analysis	The duration is not to exceed 15 years from the conditional use permit approval			
			Stujj Anulysis	(Exhibit A.2). See Condition No. 2a in Section 6 of this report.			
			(C)	Setbacks from surrounding uses;			
	П			A 50' setback is proposed along the property boundaries. The gravel pit and			
	Ш	ш	Ш	Ш	Ш	Staff Analysis	operation include vegetated berms to control erosion, runoff, and provide a buffer
				(Exhibits A.2 & A.6). See Condition No. 2b in Section 6 of this report.			
			(D)	Reclamation plan as approved by the Idaho Department of Lands;			
	П	П		A reclamation plan was approved by the Idaho Department of Lands on October 18,			
	Ш		Staff Analysis	2023, subject to conditions (Plan No. S603007, Exhibit A.6). See Condition No. 4 in			
				Section 6 of this report.			
			(E)	The locations of all proposed pits and any accessory uses; and			
\boxtimes			Staff Analysis	See Exhibits A.2 & A.6 for pit and accessory use locations. See Conditions No. 2 & 4			
			Stujj Anulysis	in Section 6 of this report.			
			(F)	Recommendations from applicable government agencies.			
				• Traffic and access: See evidence in Table 1, Criteria 07-07-05(6) & (7).			
\boxtimes			6. 66 4 1	 See Conditions No. 9 & 10 in Section 6 of this report. 			
			Staff Analysis	• Floodplain: See evidence in Table 1, Criteria 07-07-05(4).			
				 See Conditions No. 6 in Section 6 of this report. 			

Table 3. Chapter 09, Article 13 – Area of City Impact Agreement
- City of Notus -

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.

C	ompli	ant	County Ordinance and Staff Review							
Yes	No	N/A		Analysis						
			_	all applications concerning property located in the area of City impact of Notus lotus' input on the application, and shall give such input due consideration.						
\boxtimes			Staff Analysis	The subject parcels are located in the Notus Area of City Impact (Exhibit B.2d). Prior to the submittal of the conditional use permit application on May 29, 2024, the applicant completed an Agency Acknowledgment Form with the City of Notus on April 30, 2024 (Exhibit A.4).						
				The City of Notus was provided a copy of the application on February 10, 2025, per Idaho Code §67-6512 and CCCO §07-05-01. The City of Notus was notified of the public hearing on April 28, 2025.						

The City of Notus submitted a letter expressing concerns regarding the cumulative impacts to the environment and traffic (Exhibit D.2).

- A reclamation plan was approved by the Idaho Dept. of Lands (Exhibit A.6),
 which was reviewed by other affected state and local agencies.
 - Per Idaho Code §49-613(6): Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping therefrom shall be covered so as to prevent spillage. Covering of such loads is not required if six (6) inches of freeboard is maintained.
 - As conditioned, the use shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use, such as the Idaho Department of Environmental Quality, Idaho Department of Water Resources, OSHA, MSHA, IDOT, and FEMA, to ensure impacts are minimized. See Conditions No. 1 in Section 6 of this report.
- Proposed access and traffic were reviewed by the Idaho Transportation
 Department (ITD) and Golden Gate Highway District #3 (Exhibits D.3 & D.4).
 Prior to the commencement of use, trip generation and pavement analysis are required. See Conditions No. 9 & 10 in Section 6 of this report.

AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Emergency Management Coordinator, Caldwell Fire Protection District, State Fire Marshall, Eureka Irrigation District, Lower Center Point Irrigation Co., Golden-Gate Highway District No. 3, Notus School District, COMPASS, Idaho Transportation Department, Army Corp of Engineers, Natural Resource Conservation District, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Assessor's Office, Canyon Soils Conservation District, Canyon County Building Department, Canyon County Engineering Department, Idaho Department of Environmental Quality, Environmental Protection Agency, Bureau of Reclamation, FEMA, Idaho Department of Water Resources (Water Rights), Idaho Department of Water Resources (State Floodplain Coordinator), Idaho Fish and Game, Idaho State Department of Agriculture, Department of Lands, Energy and Mineral Resources, Flood District #10, Flood District #11, Drainage District #2, Southwest District Health, and the City of Notus were notified of the subject application.

Staff received agency comments from Southwest District Health, Idaho Transportation Department, Flood District #11, DSD Engineering Department, Idaho Department of Water Resources (State Floodplain Coordinator), Idaho Department of Environmental Quality, and Golden-Gate Highway District #3. All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

Pursuant to Canyon County Code of 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.

PUBLIC COMMENTS:

Staff received one (1) written public comment by the materials deadline of May 23, 2025. The comment received expressed concerns about existing and proposed truck traffic impacts, dust, noise, and impacts

to the agricultural area. All public comments received by the aforementioned materials deadline are located in **Exhibit E**.

Pursuant to Canyon County Code of 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.

SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed Conditional Use Permit is **compliant** with Canyon County Code of 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:

On-going Conditions

- 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. Any violations of any applicable federal, state, and local requirements shall be considered a violation of this conditional use permit.
 - a. 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).
 - 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/MSHA requirements.
 - c. Water (including surface and groundwater) shall be discharged in accordance with state, federal, and local standards and/or regulations.
 - d. 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.
 - e. 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.
- 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 plan (Exhibits A.2, A.3 & A.6). Concrete and asphalt batch plants are not included in the proposal for mineral extraction on Parcel R35953010. Any expansion or extension of the operation shall require a conditional use permit modification.
 - a. The mineral extraction operation expires 15 years from the date this decision document was signed.
 - b. Normal day-to-day business hours for the gravel pit shall be Monday through Saturday, 7:00 a.m. through 7:00 pm. Crushing of gravel will not occur after 7 PM or before 7 AM. The operation will be closed on Sundays and traditional legal holidays. If the operator 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. Normal operating hours shall resume immediately upon termination/completion 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 site plan (Exhibits A.2 & A.6).
- d. The number of employees on Parcel R38552 during working hours shall not exceed 15 employees.
- 3. Stockpiling shall not exceed 30 feet in height.
- 4. The operation shall comply with the reclamation plan as approved with conditions by the Idaho State Department of Lands (S603007; Exhibit A6). The operator shall complete the reclamation plan as approved by the Idaho State Department of Lands.
- 5. All exterior lighting shall be downward facing and directed away from adjacent residential properties.

Conditions Required Prior to the Commencement of Use

- 6. A Floodplain Development Permit from the Development Services Department 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.5 D.7) shall be adequately addressed prior to commencement of use.
- 7. 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. Evidence of approval/compliance shall be submitted to the Development Services Department.
- 8. Any structures shall obtain a building permit from the Development Services Department prior to commencement of use.
- 9. The applicant shall comply with applicable Golden Gate Highway District No. 3 requirements, including an approach permit and Pavement Analysis and Improvements/Reconstruction recommendations, prior to commencement of use (Exhibit D.4). Any improvements required by the Golden Gate Highway District No. 3 shall be completed within a timeframe determined by the Golden Gate Highway District No. 3. Evidence of approval/compliance shall be submitted to the Development Services Department.
- 10. The applicant shall comply with applicable Idaho Transportation Department requirements, including submitting trip generation numbers and distribution patterns, prior to commencement of use (Exhibit D.3). Any improvements required by the Idaho Transportation Department shall be completed within a timeframe determined by the Idaho Transportation Department. Evidence of approval/compliance shall be submitted to the Development Services Department.

EXHIBITS

A. Application Packet & Supporting Materials

- 1. Master Applications (CUP & DP)
- 2. Letter of Intent with Site Plan

- 3. Land Use Worksheet
- 4. Agency Acknowledgment Form
- 5. Neighborhood Meeting
- 6. Reclamation Plan
- 7. Christina Wood Pit No-Rise Certification dated May 13, 2025
- 8. Evacuation Plan submitted on May 19, 2025
- 9. Stormwater Pollution Prevention Plan (SWPPP), dated June 30, 2023
- 10. SHPO Consultation Summary SHPO Project #2024-713
- 11. Applicant's PowerPoint Presentation

B. Supplemental Documents

- 1. Parcel Information Report Parcel R35953010
- 2. Case Maps
 - a. Aerial
 - b. Vicinity
 - c. Future Land Use
 - d. Future Land Use Notus
 - e. Zoning
 - f. Cases w/report
 - g. Subdivisions w/report
 - h. Soils & Prime Farmland w/report
 - i. Dairy, Feedlot, and Gravel Pit
- 3. Surrounding Land Decisions
 - a. CU2006-180
 - b. PH2012-1011
 - c. PH2016-67
 - d. CU2020-0005
- C. Site Visit Photos: May 15, 2025

D. Agency Comments

- 1. Southwest District Health, email dated February 12, 2025.
- 2. City of Notus, letter dated March 11, 2025
- 3. Idaho Transportation Department, letter dated February 20, 2025
- 4. Golden Gate Highway District #3/JUB Engineers, letter dated February 20, 2025
- 5. DSD Engineering, letter dated February 20, 2025
- 6. Flood Control District #11, letter received March 3, 2025
 - a. Flood Control District #11 revised letter submitted May 15, 2025
- 7. Idaho Department of Water Resources (NFIP), letter dated February 13, 2025
- 8. Idaho Department of Environmental Quality, letter dated May 5, 2025

E. Public Comments

- 1. James Connor, email dated March 3, 2025
- 2. John Hamilton, email dated May 4, 2025
- 3. Ronald & Joanna Lysinger, letter dated May 19, 2025

EXHIBIT A Application Packet & Supporting Materials

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



	OWNER NAME: Christie J. Wood
PROPERTY OWNER	MAILING ADDRESS: 2357 ode in Caldwell ID 83607
OWNER	PHONE: 208-573-7880 EMAIL: Chris Wood 710 amail. Com
I consent to this	application and allow DSD staff / Commissioners to enter the property for site inspections. If owner(s) are a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.
Signature:	private 2 Wood
(AGENT)	CONTACT NAME: ALAN MILLS RANDY WOOD
ARCHITECT ENGINEER	COMPANY NAME: MILLS I CO. REALTY IN. Nampa Paving
BUILDER	MAILING ADDRESS: BOX 206 MINDLETON, 50, 83644
	PHONE: 208-880-0525 EMAIL: millscorealty amsw.com
	STREET ADDRESS:
	PARCEL #: R-35953016 LOT SIZE/AREA: 39 + -
SITE INFO	LOT: BLOCK: SUBDIVISION:
	QUARTER: NE SECTION: 4 TOWNSHIP: 4N RANGE: 4W
	ZONING DISTRICT: AB. FLOODZONE (YES/NO):
HEARING	CONDITIONAL USECOMP PLAN AMENDMENTCONDITIONAL REZONE
LEVEL	ZONING AMENDMENT (REZONE)DEV. AGREEMENT MODIFICATIONVARIANCE > 33%
APPS	MINOR REPLATVACATIONAPPEAL
	SHORT PLAT SUBDIVISION PRELIMINARY PLAT SUBDIVISIONFINAL PLAT SUBDIVISION
DIRECTORS	ADMINISTRATIVE LAND DIVISIONEASEMENT REDUCTIONSIGN PERMIT
DECISION	PROPERTY BOUNDARY ADJUSTMENTHOME BUSINESSVARIANCE 33% >
APPS	PRIVATE ROAD NAMETEMPORARY USEDAY CARE OTHER
	All good part
RECEIVED BY	Out of the same
KECEIVED BY	APPLICATION FEE: 950 CK MO CC CASH

Revised 1/3/21



Floodplain Development Permit

Development Services Department 111 North 11th Ave., Suite 310 Caldwell, ID 83605 Office: (208) 454-7458 For Inspections Call: (208) 454-7460

Permit Number: DP2024-0032

Date:

09/25/2024

Project Name: NAMPA PAVING-CHRISTIE J WOOD PROPERTY

Fax: (208) 454-6633

Parcel Number:

359530100

Site Address: 0 BOISE RIVER RD

Caldwell ID

Latitude:

Longitude:

Section:

Project Flood Zone:

Parcel Flood Zone: Zone AE - w/BFE Determined,

Township:

Range:

Parcel Acreage:

39.87

Property Owner:

Applicant:

Contractor:

FLENNIKEN CHRISTIE J 2003 REVOCABLE TRUST

23517 ODE LN CALDWELL ID 83607

A Conditional Use Permit (CUP),

Comments:

An engineered No-Rise Study,

Comments from the Flood Control District, Department of Water Resources.

Standard Zoning / Building Condition(s)

✓ No-Rise Certification and approval from Flood District #11

✓ Evacuation plan

Fees

DateFee ItemAmount09/25/2024Flood Plain Development Permit (Engineering Fees May Also Apply)\$80.00

\$80.00

Receipts

Date Recipt Number 83678

Amount \$80.00

Total Paid: \$80.00

DP2024-0032

Page 1 of 2

The degree of flood protection required by Canyon County Code of Ordinance Chapter 7 and the Development Permit is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Issuance of this permit shall not create liability on the part of Canyon County or any officer or employee thereof for any flood damages that result from reliance on this permit or any administrative decision. This Development Permit is only valid for the proposed development associated with the Building Permit identified above. Any changes to or amendments made to the proposed development may nullify this permit.

There may be additional State and Federal guidelines and permits required in addition to this Development Permit. It is highly recommended that you verify any additional requirements with your flood insurance provider prior to initiating the proposed development.

Applicant's Signature:

Date:

2/1/4

DSD Staff Accepting Application:

Date: May 19, 2025

DSD Flood Plain Administrator:

Date: 5/19/

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.

:	OWNER NAME: Flenniken Christie J 2003 Revocable							
PROPERTY								
OWNER	23517 Ode Ln Caldwell Id 8							
	PHONE:	EMAIL:						
Signature:		Date:						
	APPLICANT NAME:							
APPLICANT	Nampa Paving & Asphalt C	60.						
OR	MAILING ADDRESS: 444 W. Karcher Rd., Namp	pa, ID 83687						
BUILDER:	PHONE:	EMAIL: tyson@nampapaving.com						
	208-466-4051	tyson@nampapaving.com						
ADDRESS AND	LOCATION OF THE PROPE	RTY: Site address is directly west of						
23517 Ode Ln	., Caldwell, ID 83607. T	he site is owned by the owners of the						
residence at 2	3517 Ode. Lane. Nampa	a Paving plans to lease the site from the						
above listed ov	vners.							
A. DESCRIPTIO	ON OF WORK							
1. Propose	d Work:							
☐ New Construc	☐ New Construction (includes bridges and fences) ☐ Manufactured Home							
☐ Improvement	to Existing Building	☐ Filling/Grading						
☐ Demolition (in	☐ Demolition (includes equip. storage)							
2. Describe	e in Detail:							
Nampa Pavino	plans to mine the 40-a	cre parcel to extract construction sand and						
gravel aggreg								

	3.	3. Size of Proposed Development (attach site plan): 40								
	4.	Per the floodpla development:	in map, wh	at is the zor	e and pane	l number o	f the area o	f the propos	sed	_
Zo	ne:	AE			Pane	Number:	16027C0	204G		
	5.	Are there any of	ther Federa	al, State, or l	ocal permit	s obtained?		2010		-
		⊮Yes		□ No						
		Type:	MSGP SV	VPPP, Recla	mation Plan	Agency:	IDEQ, IDL		n	
В.	СО	MPLETE FOR N	IEW STRU	CTURES AI	ND BUILDII	NG SITES:	N/A			
	1.	Base Flood Elev	vation at th	e Site (in ft.)	:				···	
	2.	What is the tota	l cost of the	e proposed o	construction	?			<u> </u>	******
	3.	Elevation to whi		es, including	all heating	and electric	cal equipme	ent, will be p	protected	
						Feet				
			-							
_		MDI STE SOD A	LTEDATIO	NO ADDIT	10110 001					
C.	COMPLETE FOR ALTERATIONS, ADDITIONS, OR IMPROVEMENTS TO EXISTING N/A									
	1.	What is the esti	mated mar	ket value of	the existing	structure?	\$			
	2.	What is the tota	l cost of the	e proposed o	construction	? \$			· · · · · · · · · · · · · · · · · · ·	_
		ost of the proposi re, then substant					of the mar	ket value of	the	
D.	СО	MPLETE FOR N	ION-RESID	ENTIAL FL	OOD-PRO	OFED CON	STRUCTIO	n: N/A		
	1.	Type of floodpro	oofing meth	nod:					· · · · · · · · · · · · · · · · · · ·	
	2.	The required flo	odproofing	elevation is	:	**				
	3.	Floodproofing c	ertification	by a registe	red enginee	r is attache	d?	☐ Yes	□ No	_
E.	co	MPLETE FOR S	UBDIVISIO	ON AND AD	MINISTRAT	TIVE LAND	DIVISION	s: N/A		
	1.	Floodproofing c	ertification	by a registe	red enginee	r is attache	ed?	☐ Yes	□ No	
	2.	If yes, does the	plat or pro	posal clearly	identify the	base floor	delevation?	' ☐ Yes	□ No	
	3.	Are the 100-year	ar floodplai	n and floodw	ay delineat	ed on the s	ite plan?	☐ Yes	□ No	

F. CON	PLETE FOR DEMOLITION WITHIN THE FLOODPLAIN: N/A							
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. CON	MPLETE FOR EXCAVATION, GRADING, AND FILLING WITHIN THE FLOODPLAIN:							
1.	Describe the total area to be excavated: Approximately 25-Acres							
2.	Describe the total area to be dredged: N/A							
3.	Describe the area of vegetation and/or debris to be removed: Pasture lands and top soil to be cleared&Grubbed.							
4.								
5.	Describe type of fill material used: Excavated topsol will be used to create barms. Barms are installed for safety & stormwater. Fill will not be imported on-arte							
6.	Describe the amount of fill material used: N/A							
7.	Does the proposed work involve any wetlands? ☐ Yes ☑ No							
Please	check with the following agencies for possible joint permit requirements under all above s:							
•	Idaho Dept. of Environmental Quality • Idaho Dept. of Fish & Game							
•	U.S. Army Corps of Engineers • Idaho Dept. of Water Resources Environmental Protection Agency							
-	Environmental Totection Agency							
	ADMINISTRATIVE USE ONLY							
1.	Permit Approved Permit Denied							
2.	Elevation Certificate Attached:							
3.	As per plan, Lower Floor Elevation: ft.							
4.	Are additional required permits or certificated attached?							
5 .	Permit Reviewed by: Date:							
6.	Local Administrator Signature: Date:							
CONDI	ITIONS/COMMENTS:							



September 13, 2023 Syman Project No. 231426

Canyon County Development Services 111 North 11th Ave., #140 Caldwell, ID 83605

SUBJECT:

Conditional Use Permit – Christina Wood Property

21377-21124 Boise River Rd.

0 Boise River Rd. Caldwell, ID 83607

Development Services,

I am writing on behalf of Nampa Paving & Asphalt Co. We are requesting a conditional use permit (CUP) to operate a sand and gravel pit on approximately 38-acres of the approximately 40-acre subject parcel. The subject parcel is R35953010. This parcel will be leased from the Flenniken Christie J 2003 Revocable Trust by Nampa Paving and Asphalt Co. Nampa Paving requests the CUP due to the continued need for construction aggregates throughout Canyon County and Southwest Idaho. This parcel will serve Canyon County as a significant source of aggregate for public and private construction works. At the completion of the aggregate extraction, the site will be reclaimed and is planned to be an approximately 35-acre pond. Nampa Paving and Asphalt Co. was established in the early 1980s and has positioned itself as a leader in the construction industry in Idaho.

There are numerous aggregate operations in the surrounding area. Sunroc Construction and Materials operates a mine directly north and west of the subject parcel. Idaho Materials and Construction, Knife River Corporation, JMAC Resources, Thueson Construction Inc., and Western Construction Inc. operate aggregate mines south of the proposed Christina Wood Property. Due to the vast sand and gravel deposits, the area serves as a valuable resource for construction aggregates, and it is displayed by the numerous aggregate pits in the immediate vicinity.

According to the Canyon County Assessor's property detail page, the Property Class is labeled as "Irrigated pastureland." The surrounding area is consistent with this Property Class. Primarily, the surrounding area consists of pasturelands, as well as the prior mentioned aggregate mining and processing operations. The subject parcel is bordered by Boise River Road to the north, a portion of Sunroc's Notus Pit to the west, agriculture and pastureland to the south, and the landowner's residence to the east. The parcel is surrounded by unnamed ditches and irrigation overflows. Approximately 1,200 feet to the south is the North Drain, and the termination of the Mumford Lateral is at the southeast property line.

Boise River Road will serve as the only access road to and from the site. Traffic will not be dramatically impacted, and vehicle types will be consistent with the traffic that is currently in the area. The pit access location to the pit will be at the northwest corner of the parcel.

Historically, the subject parcel has been used as pastureland for livestock or agriculture land. The current land use is pastureland. The Christina Wood Property contains a significant number of cubic yards of construction aggregate. WebSoil Survey estimates that at 21 to 40-inches below ground surface, layers of sand and gravel begin. The area has a high-water table, starting at approximately 18 to 36 inches below



ground surface. The high-water table will aid in the reduction of airborne dust particles leaving the site. Dewatering will be necessary to access and extract sand and gravel. Dewatering of excavated areas will be facilitated using pumps, which will move groundwater into constructed vegetated trenches prior to discharging into an unnamed irrigation ditch located at the southeast corner of the property. All dewatering practices will be performed in accordance with local laws and regulations. Best management practices will ensure that dust generation from roadways will be limited, berms will surround the mineable areas, and a fifty (50) foot undisturbed buffer will separate active mining areas from property lines.

Occasionally, there will be the need to operate the aggregate pit with successive shifts to maintain operations for 24 hours for several days. The 24-hour operations will be due to conditions imposed on constructions projects that are centered on nighttime operations. These normal proposed operational hours will not deviate from agricultural and mining operations in the area. Processing activities at the site will include crushing and sorting of mined gravel material. Crushing of gravel will not occur after 7:00 PM or before 7:00 AM. We are requesting that the CUP be approved for a period of 15 years. Nampa Paving would like to commence mining operations as soon as possible. The number of employees anticipated on the Christina Wood Property is approximately fifteen (15) during peak operations. Parking locations are delineated on the site map, and the size of the parking area will be able to accommodate the number of employees during peak operations. All applicable county setbacks will be met, as illustrated on our facility site plan.

According to Canyon County's 2030 Comprehensive Plan, the goal of mineral resource extraction is to "Support the conservation of productive mineral lands and discourage incompatible uses upon or adjacent to these lands." The location of the proposed project is productive mineral extraction lands. This is illustrated by the number of aggregate mines in the area. The policy stated for Mineral Resources in the Comprehensive Plan is, "Sand and gravel mining operations should be located to avoid potential adverse impacts to the river channel." The Christina Wood Property will not impact the Boise River channel. The Christina Wood property meets the criteria listed in the 2030 Comprehensive Plan for short term mineral extraction.

The Christina Wood Property provides an additional source for sand and gravel in Southwest Idaho. To accommodate the continued growth in Canyon County, construction aggregates will continue to be an essential resource. Nampa Paving and Asphalt Co. has been a responsible entity in mineral extraction in Southwest Idaho and has placed the environment at the forefront of their goals. This property will serve to bring vital aggregate resources to Canyon County, in a manner that is economically and environmentally beneficial.

Sincerely,

Adam Lyman

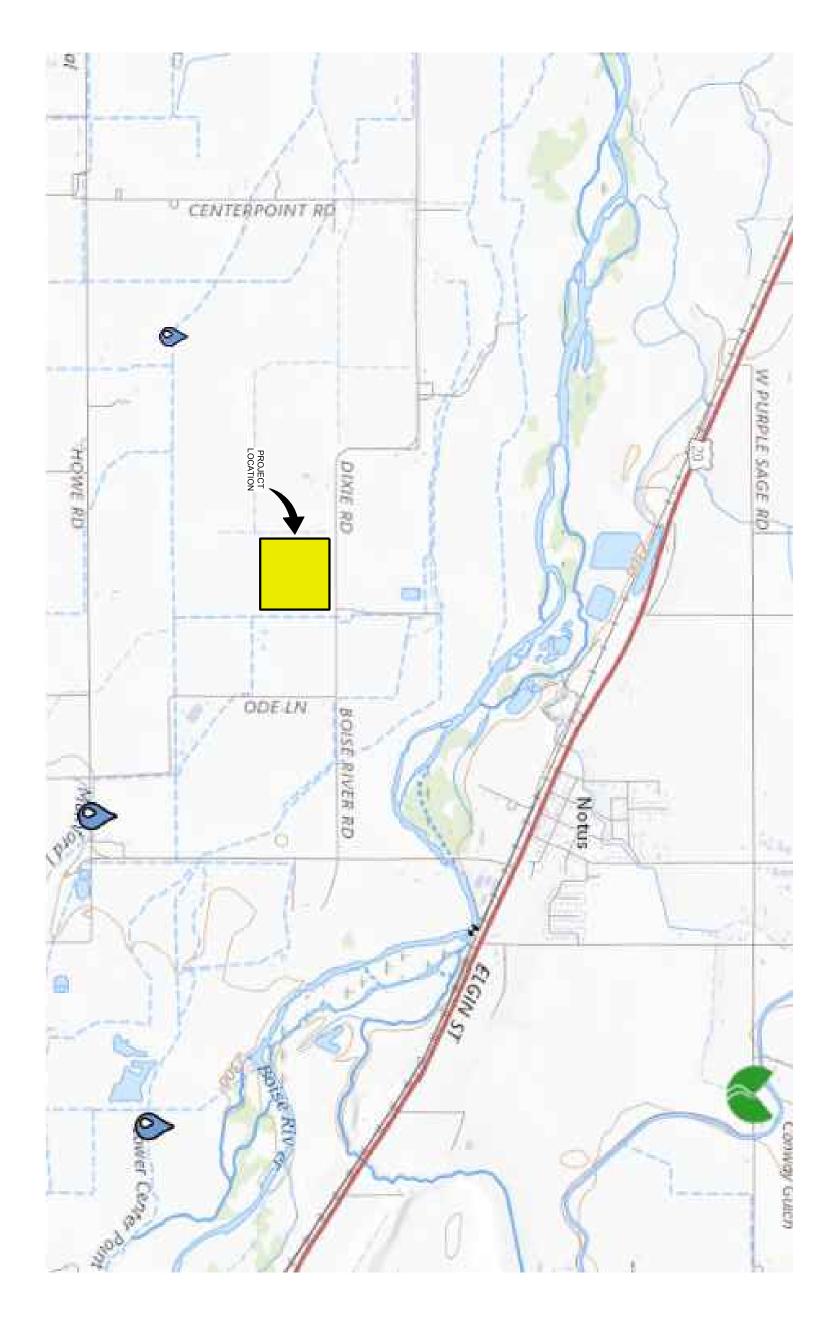
PE, CPESC

REVISIONS NO. DATE

FIGURE 2

PILE NUMBER: 231426
DESIGNED BY:
J. NYGAARD
DRAWN BY:
J. MATTHEWS
DATE
JUly 2023
SHEET NUMBER:

CHRISTINA WOOD PROPERTY BOISE RIVER ROAD



SYMAN 2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420

SYMAN, LLC

TOPOGRAPHIC MAP

CHRISTINA WOOD PROPERTY

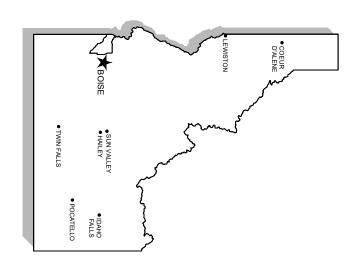
BOISE RIVER ROAD

NAMPA PAVING

NOTUS, IDAHO

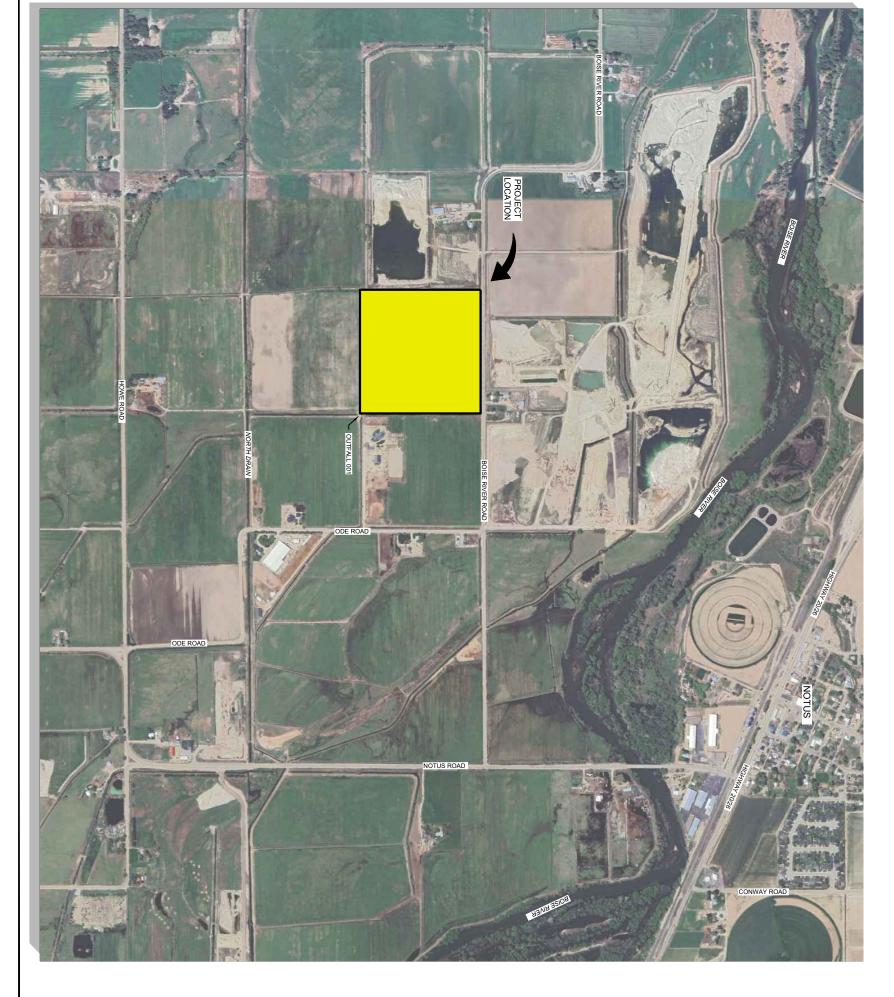
CANYON COUNTY

PROJECT LOCATION





STATE OF IDAHO



П				SIONS	BY	DESCRIPTION.
GL	J. NYO	FILEN 231	NO.	DATE	ы	DESCRIPTION
	NED BY: SAARC WN BY: THEW ATE 2023	UMBER: 1426				
<u> </u>	, o					

VICINITY MAP CHRISTINA WOOD PROPERTY BOISE RIVER ROAD CANYON COUNTY NOTUS, IDAHO

NAMPA PAVING

SYMAN, LLC

2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420





LEGEND

1. FACILITY LIMITS
2. PROPERTY LINE
3. STOCKPILE / STORAGE
4. PARKING
5. UNIT AREA
6. CANAL / DITCH
7. EDGE OF POND
8. STRUCTURES
9. ACTION AREA
10. BERM
11. 50 VEGETATED BUFFER
NOTES

NOTES

1. THERE IS APPROXIMATELY 38.25 ACRES OF MINING AREA.

REVISIONS

NO. DATE BY

DESCRIPTION

HILE NUMBER:
231426

DESCRIPTION

DESCRIPTION

September 2023

SHEET NUMBER:

FACILITY PLAN
CHRISTINA WOOD PROPERTY
BOISE RIVER ROAD
CANYON COUNTY NOTUS, IDAHO
NAMPA PAVING

SYMAN

SYMAN, LLC 2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420





NOTES LEGEND YEAR 1 LIMITS OF DISTURBANCE PROPERTY LINE STOCKPILE / STORAGE CANAL / DITCH
EDGE OF POND
STRUCTURES
ACTION AREA UNIT AREA PERMANENT POND WILL BE APPROXIMATELY 38.25 ACRES. THERE IS APPROXIMATELY 25.4 ACRES OF MINING AREA DURING YEAR 1. POND BOUNDARY PARKING

REC-101 RILE NUMBER: 231426
DESIGNED BY:
J. NVGARD
DRAWN BY:
J. MATTHEWS
DATE
September 2023
SHEET NUMBER: REVISIONS NO. DATE

RECLAMATION PLAN CHRISTINA WOOD PROPERTY BOISE RIVER ROAD

CANYON COUNTY NOTUS, IDAHO NAMPA PAVING



SYMAN, LLC

2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420

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: Not for Residential USE □ How many Individual Domestic Wells are proposed?		
2. SEWER (Wastewater) □ Individual Septic □ Centralized Sewer system N/A - Explain why this is not applicable: Not for Residental USE		
3. IRRIGATION WATER PROVIDED VIA: ✓ Surface □ Irrigation Well □ None		
4. IF IRRIGATED, PROPOSED IRRIGATION: ☐ Pressurized ☐ Gravity		
5. ACCESS: Volume Frontage Easement width Inst. #		
6. INTERNAL ROADS: ☐ Public Private Road User's Maintenance Agreement Inst #		
7. FENCING		
8. STORMWATER: De Retained on site De Swales De Ponds De Borrow Ditches De Other: Swppp will be completed, Most Stormwater will be retained on-sit		
9. SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY: (i.e. creeks, ditches, canals, lake) Mum ford Lateral		

RESIDENTIAL USES		
1. NUMBER OF LOTS REQUESTED: N/A		
□ Residential □ Commercial □ Industrial		
☐ Common ☐ Non-Buildable		
2. FIRE SUPPRESSION:		
Water supply source: bitches & punks		
3. INCLUDED IN YOUR PROPOSED PLAN?		
☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☑ None		
NON-RESIDENTIAL USES		
t t		
1. Specific use: Sand Gravel Extraction		
2. DAYS AND HOURS OF OPERATION:		
□ Monday		
□ Tuesday		
□ Wednesday <u>7AM</u> to <u>7PM</u>		
☐ Thursday		
□ Friday 7AM to 7 PM		
□ Saturday		
Sunday to Occasionally		
3. WILL YOU HAVE EMPLOYEES? Yes If so, how many? Max 15 Do		
4. WILL YOU HAVE A SIGN? Yes No Lighted Non-Lighted		
Height: ft Width: ft. Height above ground: ft		
What type of sign:WallFreestandingOther		
5. PARKING AND LOADING: How many parking spaces? 15 Is there is a loading or unloading area? Yes; Reference Reclamation Plan Site Map		

i io em	ANIMAL CARE-RELATED USES
1.	MAXIMUM NUMBER OF ANIMALS: N/A
2.	HOW WILL ANIMALS BE HOUSED AT THE LOCATION?
	□ Building □ Kennel □ Individual Housing □ Other <u>N/A</u>
3.	HOW DO YOU PROPOSE TO MITIGATE NOISE? NA
	☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars
4.	ANIMAL WASTE DISPOSAL & /A
	☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System
	□ Other:



Rec. 5/21/24

AGENCY ACKNOWLEDGMENT

Date:	194 /	2024
Applicant:	I AMPA	PAVING
Parcel Number:	R 35953	016
Site Address:	TRD F	BOISE RIVER ROAD
		THE PAVER TOTAL
OFFICIAL L	JSE ONLY BEL	LOW THIS LINE - ACKNOWLEDGMENT ACTION:
Southwest District ☐ Applicant submitte		al review.
Date:	Signed:	
		Authorized Southwest District Health Representative (This signature does not guarantee project or permit approval)
Fire District: Applicant submitted	ed/met for officia	District:
Date:		
	January States	Authorized Fire District Representative (This signature does not guarantee project or permit approval)
Highway District: ☐ Applicant submitte	ed/met for officia	District:
Date:	Signed:	
		Authorized Highway District Representative (This signature does not guarantee project or permit approval)
Irrigation District: ☐ Applicant submitte	nd/mat for afficie	District: Eureha al review. Story Show
Date: 5-8-24	Signad: X	A Thomas & Paris
Date	Signed.	Authorized Irrigation Representative
		(This signature does not guarantee project or permit approval)
Area of City Impac Applicant submitte		City: Notus
Date: <u>4-30-25</u>	/ Signed:	Authorized AOCI Representative
		(This signature does not guarantee project or permit approval)
F	Received by Ca	anyon County Development Services:
Date:	Signed:	
		Canyon County Development Services Staff



AGENCY ACKNOWLEDGMENT

Di te: MAY / 202	2 5'
At plicant: 4/2/180 PD 11/1	X 7
Parcel Number: R 5953010	16
Si a Address: TAD ROISE	RUER ROAD
II P Gotte	MIVER TOAD
OFFICIAL USE (NLY BELOW TH	IS L NE - ACKNOWLEDC MENT ACTION:
Scthwest District Hea !h:	<i>i</i> .
Da e: Signed:	
	thori ed Southwest District Health Representative
(Thi	s signature does not guarantee project or permit approval)
Fir District: Applicant submitted/me for official review	District:
Da e: ligned:	•
od 3	At the rigod Fire Diet in E
(This	At thorized Fire District F epresentative sign ature does not guarantee p oject or permit approval)
Hig way District: A plicant submitted/met for official review. Dat :: 5/1/24 Signed: (This	District: Folden Fafe Hwy # 3 Authorized Highway Distric Representative sign ture does not guarantee project or permit approval)
Irric ation District: Applicant submitted/met for official review.	District:
Date:Signed:	
	, uthorized Irrigation Representative signature does not guarantee project or permit approval)
Are: of City Impact: Ar plicant submitted/met or official review.	City: Notus
Date: 4.30 24 S gned: And	Julian C. J. Clerk Julianized AOCI Representative signa are does not guarantee project or permit approval)
	•
5 .	unty Development Services:
Date: S aned:	
Cany	on County Development Sarvices Staff

HSCLAIMER: THIS ACKN I WLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



AGENCY ACKNOWLEDGMENT

Date: MAY /	2024
Applicant: AJAMPA	PAVING
Parcel Number: R 35953	010
Site Address: TBD	BOISE RIVER ROAD
OFFICIAL USE ONLY BE	LOW THIS LINE – ACKNOWLEDGMENT ACTION:
Southwest District Health:	sial variance
Applicant submitted/met for office	
Date: <u>05/15/2•24</u> Signed:	Authorized Southwest District Health Representative
. ,	Authorized Southwest District Health Representative (This signature does not guarantee project or permit approval)
Fire District:	District:
Applicant submitted/met for office	
Date: <u>5 /왕 2식</u> Signed:	Authorized Fire District Representative
	Authorized Fife District Representative (This signature does not guarantee project or permit approval)
Highway District: Applicant submitted/met for office	District:
Date: Signed:	
olgrida.	Authorized Highway District Representative (This signature does not guarantee project or permit approval)
Irrigation District:	District:
☐ Applicant submitted/met for office	cial review.
Date: Signed:	
	Authorized Irrigation Representative (This signature does not guarantee project or permit approval)
Area of City Impact: Applicant submitted/met for office	cial review.
Date: <u>4-30-24</u> Signed:	Aretta Vollmer, citz clerk Authorized AOCI Representative
	(This signature does not guarantee project or permit approval)
Received by (Canyon County Development Services:
Date: Signed:	
	Canyon County Development Services Staff

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

CANYON COUNTY DEVELOPMENT SERVICES

1 North 11 North, Caldwell HE 850-5 Phone 208 474 7438 Fee 208 474 6633



ar Chiechhogo Meeting Sica up Sheet CAMPUN COUNTY 2000 ME CHES MANNE 12-000, 907-01-15

OF THE I MEADINATE AN

l conduct a neighborhood meeting for any proposed variance, conditional use, zoning ordinance membranit, expension, or extension of nanconforming uses requiring a public hearing.

	2011611	TONMALI ON	
St. Marces T. B. D Boise River	Road	Page Sumbe	3595301000
Caldwell		State II	71° 20 83,

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APPLICANT REPRESENTATIVE INFORMATION

Company Name Rundy Wood

Dempany Name Numpa Paving

Consent windows 444 W. Karcher Rd Wampa 11 208-989-4053 Sac 83687

MEETING INFORMATION

Sittar

a Caldwell

May 14,2024 23517 Ode in Culdwell, ID 83/07

WESTERNITHS 6:00 PM MESTEROSEN THE 6:40 P.M

Allenders

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ADCINESS.

Randy Wood Panely Wood 149 li, Karcher Rd Nampa RES)
Telf Pinkeren Med Christensed 21664 Brise finald del

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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):
RANDY WOOD
APPLICANT/REPRESENTATIVE (Signature):
DATE: 5 1 14 1 24

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

map amendment, or other requi	FORMATION	
Site Address: T.B.D. BOISE RIVER ROAP	Parcel Number: 3593	301000
City: CALDWELL	State: In.	ZIP Code: 83607
Notices Mailed Date: 6/8/23	Number of Acres: 4/1 +-	Current Zoning: AC
Description of the Request:		
Description of the Request: MINERAL EXTRAG		PLANT + CRUSHER
Description of the Request: MINERAL EXTRAG APPLICANT / REPRES Contact Name: SANDY WOOD	ETION + BATCH SENTATIVE INFORMATION	PLANT & CRUSHER
Description of the Request: MINERAL EXTRAG APPLICANT / REPRES	ETION + BATCH SENTATIVE INFORMATION	PLANT + CRUSHER

	MEETING INFORMATIO	N '
DATE OF MEETING: TUNE 20, 2	MEETING LOCATION: 2	3604 ODE LN, CALOWELL, IO
MEETING START TIME: 6:00 P.	M. MEETING END TIME: 7	:20 pm
ATTENDEES:		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Randy Wood	Randy Wood	444 W Karcher Rd Nampa 836
2. Teff PinIcston	renger	21040 Howerd
3. John Runkle		21040 Home Rd
4. Joanna Lysinger	Ayringer	21124 Boise River Rd
5.		
6.		
7.		
8.		
9,		

Revised 6/9/22

Original Meeting

10.
11.
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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):
Randy Wood
APPLICANT/REPRESENTATIVE (Signature):

DATE: 6,20,23

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

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

October 18th, 2023

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

To whom it may concern,

This correspondence is notification that the following reclamation plan was approved on 10/18/2023:

PLAN NO.	ACRES	COUNTY	LEGAL DESCRIPTION
S603007	39.92	Canyon	T04N R04W Sec 4 SENE

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 \$35,250.00 for up to 31.75 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 November 7, 2023, the stipulations will be considered as accepted.

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

Sincerely,

Connor MacMahon

Resource Supervisor—Lands and Waterways



IDAHO DEPARTMENT OF LANDS

APPLICATION FOR RECLAMATION PLAN APPROVAL Reclamation Plan Number: _____

GENERAL INFORMATION

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

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

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

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

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

<u>AP</u>	PLICATION INFORMATION	
1.	NAME: Nampa Paving & Asphalt Co.	d/b/a:
2.	ADDRESS: 444 W Karcher Road	
	CITY, STATE, ZIP CODE: Nampa, Idaho 83687	
3.	TELEPHONE and EMAIL: 208-466-4051	delfo@nampapaving.com
	(000-000-0000) DESIGNATED IN-STATE AGENT AND ADDRESS: (if C	(e.g. john.doe@email.com) Company's main place of business is 'out of state')
5.		If applicant is a business, please attach proof of registration
6.	LEGAL DESCRIPTION (Section, Township, and Range)	TO THE QUARTER-QUARTER SECTION:
	Township 04N, Range 04W, Section 04, SE 1/4 of	the NE 1/4
7.	ACREAGE and COUNTY(ies): 39.92	Canyon (a.g. Ada through Washinston)
8.	OWNERSHIP: (check applicable) Private U.S. Forest Service Bureau of	(e.g. Ada through Washington) Land Management
9.	COMMODITY TYPE, PROPOSED START-UP DATE: S	and & Gravel / January 1, 2024
10.	SITE NAME OR MINE NAME (if any): Christina Wood	Property
11.	TYPE OF MINING: (check applicable) ✓ Surface ☐	Underground Both

Fee: See Attached Schedule, page 3

Exhibit A.6

MNR-019 Revised: 12/2022

Application Fee Schedule

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

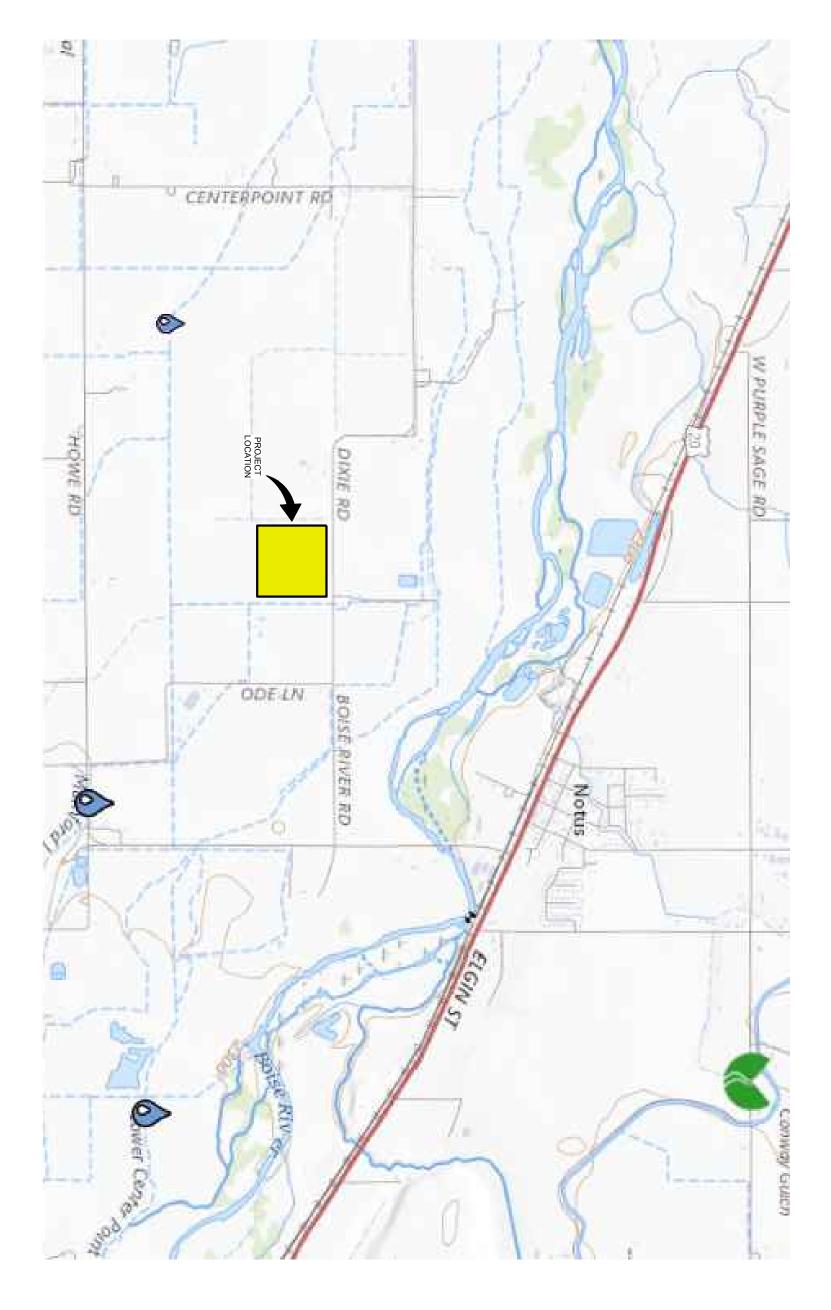
Type of Plan	Fee (Dollars)
Section 069* of IDAPA 20.03.02, Reclamation Plan 0 to 5 acres	Five hundred (\$500)
Section 069 of IDAPA 20.03.02, Reclamation Plan >5 to 40 acres	Six hundred (\$600)
Section 069 of IDAPA 20.03.02, Reclamation Plan over 40 acres	Seven hundred fifty (\$750)
Section 070** of IDAPA 20.03.02, Reclamation Plan 0 to 100 acres	One thousand (\$1,000)
Section 070 of IDAPA 20.03.02, Reclamation Plan >100 to 1000 acres	One thousand five hundred (\$1,500)
Section 070 of IDAPA 20.03.02, Reclamation Plan >1000 acres	Two thousand (\$2,000)
* Section 069 is for gravel pits, quarries, decorative stone sources, an	d simple industrial mineral mines
** Section 070 is for hardrock, phosphate, and underground mines, a	nd complex industrial mineral mines

Exhibit A.6 MNR-019 Revised: 12/2022

Application for Reclamation Plan Page 3 of 3



CHRISTINA WOOD PROPERTY BOISE RIVER ROAD



NO.	DATE	BY	DESCRIPTION	

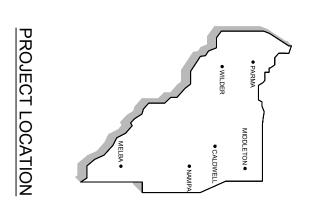
TOPOGRAPHIC MAP
CHRISTINA W00D PROPERTY
BOISE RIVER ROAD

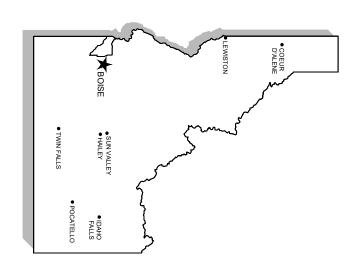
CANYON COUNTY NOTUS, IDAHO
NAMPA PAVING



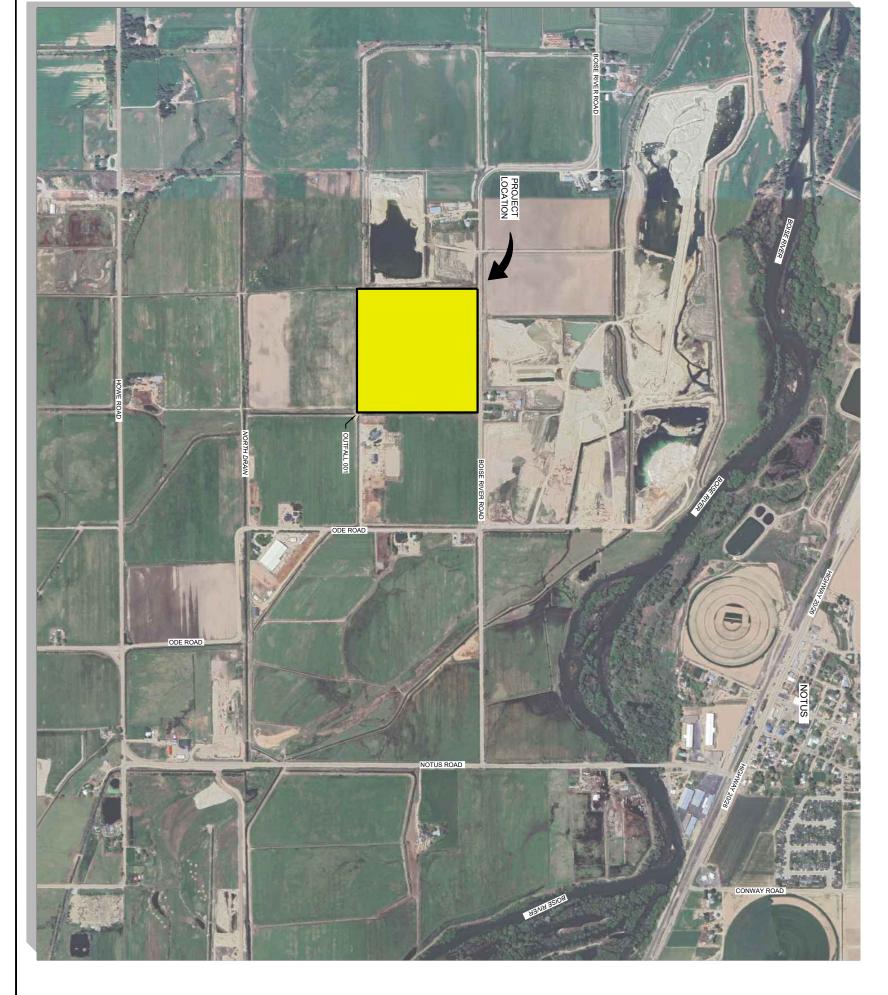
SYMAN, LLC

2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420 STATE OF IDAHO









Ğ	J. NYGAARD DRAWNBY: J. MATTHEWS DATE July 2023	FILE NUMBER: 231426	NO.	SIONS DATE	BY	DESCRIPTION
	/8 0					

VICINITY MAP CHRISTINA WOOD PROPERTY BOISE RIVER ROAD CANYON COUNTY NOTUS, IDAHO

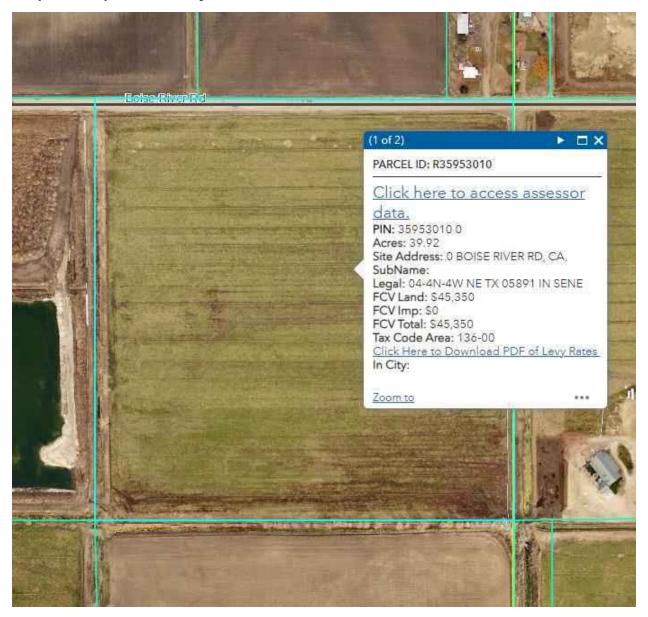
NAMPA PAVING

SYMAN, LLC

2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420



Canyon County Assessors Map



SYMAN, LLC Page5





NOTES LEGEND FACILITY LIMITS
PROPERTY LINE
STOCKPILE / STORAGE
PARKING UNIT AREA
CANAL / DITCH
EDGE OF POND
STRUCTURES
ACTION AREA THERE IS APPROXIMATELY 38.25 ACRES OF MINING AREA A/A |

FP-101 PILE NUMBER: 231426

DESIGNED BY.
J. NVGARD
DEVAMM BY:
J. MATTHEWS
DATE
September 2023
SHEET NUMBER:

REVISIONS NO. DATE

FACILITY PLAN CHRISTINA WOOD PROPERTY BOISE RIVER ROAD

CANYON COUNTY NOTUS, IDAHO NAMPA PAVING



SYMAN, LLC

2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420



NOTES LEGEND YEAR 1 LIMITS OF DISTURBANCE PROPERTY LINE STOCKPILE / STORAGE CANAL / DITCH
EDGE OF POND
STRUCTURES
ACTION AREA UNIT AREA PERMANENT POND WILL BE APPROXIMATELY 38.25 ACRES. THERE IS APPROXIMATELY 25.4 ACRES OF MINING AREA DURING YEAR 1. POND BOUNDARY PARKING

REC-101 RILE NUMBER: 231426
DESIGNED BY:
J. NVGARD
DRAWN BY:
J. MATTHEWS
DATE
September 2023
SHEET NUMBER: REVISIONS NO. DATE

RECLAMATION PLAN CHRISTINA WOOD PROPERTY BOISE RIVER ROAD

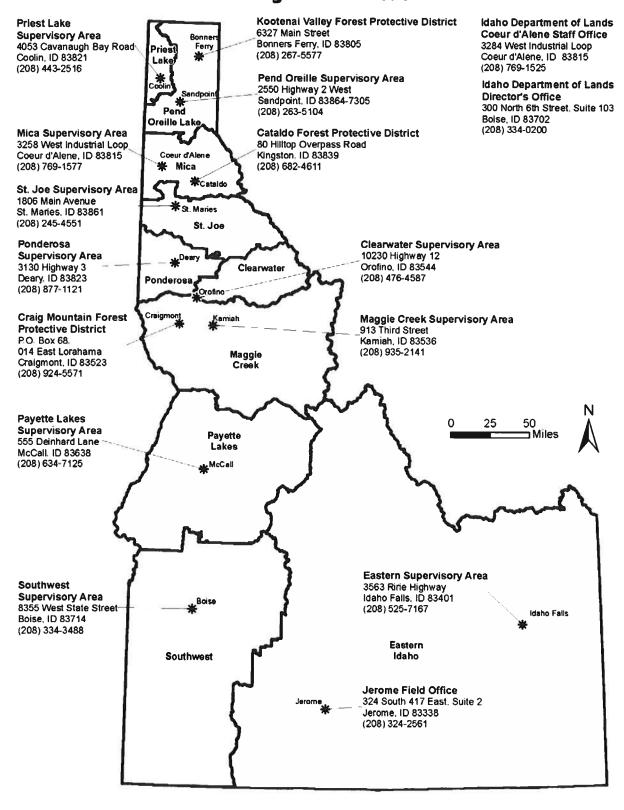
CANYON COUNTY NOTUS, IDAHO NAMPA PAVING



SYMAN, LLC

2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420

Idaho Department of Lands Management Areas





September 13, 2023 Syman Project No. 231426

Idaho Department of Lands ATTN: Connor MacMahon 8355 W. State St. Boise, ID 83714

SUBJECT: Reclamation Plan – Christina Wood Property

21377-21124 Boise River Rd.

Caldwell, Idaho 83607

Operations Description:

The subject parcel is not currently undergoing any mining activities. Nampa Paving and Asphalt Co. plans to excavate a single pond on the subject parcel. The parcel number is R35953010. The property is approximately 40-acres with an estimated 38.25-acres being involved in mining activities, including excavations, staging, access, and stockpile areas. Gravel resources will be processed on-site and will be sold commercially or used in Nampa Paving's construction projects. As the extraction of the mineral resources concludes, the preserved topsoil will be employed as a growth medium for the final reclamation vegetation. Moreover, the surplus overburden from the excavations will be utilized to construct slopes and form uneven pond banks. Upon completion of the extraction of aggregate resources, the parcel is planned to be an approximately 38.25-acre pond.

A minimum 50-foot undisturbed buffer will be maintained around all sides of the property boundaries where active mining will occur. The 50-foot buffer will be used for access and the stockpiling of overburden during construction of the pond. The facility access road will be constructed at the northwest corner of the property off Boise River Road. The planned access road will run directly south along the west property line to access the proposed mining areas, with multiple haul roads throughout the site. A scale will be placed along the access road near the site's entrance. To begin the project the northwest quarter of the property will be for a laydown area, parking, and fuel and waste storage. As work progresses, additional access roads and haul routes will be constructed within the property. These roads will be constructed with gravel to limit dust, and during dry months, these roads will be watered to further minimize fugitive dust.

The mining operations on the site will involve the systematic removal of topsoil and overburden from the active mining area. These excavated materials will then be stockpiled along the perimeter of the entire property to construct soil erosion control berms. These berms will remain in place throughout the mining process. To mitigate erosion, the berms will be shaped and seeded until they are required for the reclamation phase of the project. Additionally, portions of the topsoil and overburden soil will be utilized to construct berms around the downslope areas of the pond, providing effective erosion control measures. Aggregate stockpile locations will have specific locations within the active mining area. These stockpile locations will be adjusted as the site is mined. The primary aggregate stockpile location is illustrated on the Facility Plan Map, FP-101, and will be placed in the north half of the property to ease the loading of haul trucks.

The mining operations on the site will be focused on extracting a gravel layer approximately 30 feet below the existing surface. Based on the geological characteristics of the surrounding area, it is estimated



that the depth of the gravel layer will range between 5 and 30 feet below ground level. Throughout the mining process, the operational slopes of the pit will adhere to the natural angle of repose of the soil, with a ratio of 2 to 1.

Aggregate processing equipment will be on site continuously. Processing equipment will consist of mechanical screens, a crusher, and multiple conveyors. This is mobile equipment and will be moved throughout the site to accommodate active mining areas. Dozers, loaders, and excavators will also operate at the site as needed to move the in-situ aggregates to the processing equipment and load haul trucks at the site. Aggregates will be delivered offsite with trucks. Employee parking will be located in the northwest corner of the property, near the site entrance.

Operational hours will occur according to the Canyon County conditional use permit. The anticipated commencement date of operations is January 1, 2024. The conditional use permit application with Canyon County will be for a 15-year period. Therefore, the planned reconstruction start date is December 31, 2038. The estimated timeframe to reclaim the site is approximately 90-days, and therefore abandonment of the site would be completed by March 31, 2039. As illustrated on the Reclamation Plan Site Map, REC-101, the estimated area of disturbed land within the first year of operation is the entire mining site, access road, staging and parking area, and the stockpile location. This is approximately 38.25-acres of disturbed land.

Best Management Practices:

The site operator will secure coverage under the Idaho Department of Environmental Quality (IDEQ) IPDES Multi-Sector General Permit (MSGP) to address stormwater discharges associated with industrial activity. In compliance with the MSGP Sector J: Mineral Mining and Dressing, a Stormwater Pollution Prevention Plan (SWPPP) will be developed and regularly modified throughout the mining operations. Site inspections will be conducted as required by the MSGP, with specific focus on monitoring stormwater discharges. Water samples will be collected and analyzed to assess compliance with the applicable water quality standards outlined in Sector J.

Along the east and west property lines are irrigation overflow ditches, that terminate at the south end of the property line. The Mumford Lateral terminates at the southeast corner of the parcel, according to the Idaho Department of Environmental Quality's Final 2022 §305(b) Integrated Report. The water carried by the Mumford Lateral has been diverted into an unnamed ditch that runs south 1,200 feet and empties into the North Drain. This ditch will be utilized for mine dewatering during mining activities. A tiled ditch along the southern property line will be removed, as there is not any water flowing to the ditch, and a berm will be constructed along the south property line. To safeguard these waterways against sediment and erosion, a range of Best Management Practices (BMPs) will be implemented. These BMPs will adhere to the guidelines provided by the Idaho Department of Environmental Quantity (IDEQ) Catalog of Stormwater BMPs for Cities and Counties.

In the site preparation phase, topsoil will be removed, and stockpiles will be constructed along the site perimeter, without disturbing the irrigation overflows along the east and west property lines, and the ditches along the north property line. These stockpiles will be shaped and seeded to form stabile earthen berms. These berms will serve as a protective measure to prevent sediment and erosion from reaching the described bodies of water. Dewatering trenches will be utilized throughout the site to convey groundwater to Outfall 001 in the southeast corner of the property. Great attention will be given to minimize trackout,

SYMAN, LLC Page2



and to achieve this, the site will feature a stabilized construction entrance and a stabilized road leading into the mine.

To control fugitive dust, regular watering of in-pit roads, access roads, and active work areas will be carried out using water trucks, sprinklers, and sprays. Stockpiles of overburden material will be located outside of the active mining area. Following the initial clearing and grubbing phase, the perimeter berms, consisting of topsoil, may contribute sediment through dust or stormwater discharges. Therefore, temporary seeding of the berms will be implemented to stabilize the soil post-excavation.

To ensure compliance with proper waste management practices, hazardous waste such as refuse, trash, and solids will not be burned, buried, or stored on site. A designated dumpster will be maintained for waste containment and proper disposal at a permitted landfill facility. Storage of petroleum products on the site for equipment fueling and maintenance purposes will be conducted with the implementation of appropriate BMPs. These measures will prevent petroleum products from entering open waterways or leaving the active site.

For future operations that may involve the utilization of an existing building for fuel and oil storage, a spill prevention and control countermeasure plan will be established and maintained on site. This plan will ensure compliance and proper handling of fuel and oil-related activities, protecting against potential spills or leaks.

Receiving Waters:

To prevent water runoff from the mining activities, berms will be implemented. However, due to the presence of shallow groundwater, dewatering will be necessary to extract aggregates. To minimize soil tracking off-site, the haul roads will be regularly watered, and efforts will be made to prevent equipment from entering muddy areas.

Dewatering will be carried out to facilitate initial mining operations and the excavation of a permanent pond. Dewatering will be facilitated using vegetated dewatering trenches located within the active mining area to settle solids prior to discharge. Groundwater will fill dewatering trenches and flow down gradient naturally, prior to being pumped to the unnamed ditch at the southeast corner. The unnamed ditch flows south into the North Drain. Strict monitoring of the discharged water will be undertaken to ensure compliance with state water quality standards. As illustrated on the Reclamation Plan Site Map, REC-101, one (1) permanent pond will be constructed on the property once the parcel has been reconstructed.

Road Reclamation:

One access road from Boise River Road will be constructed for access to the site. New haul roadways will be constructed throughout the site. Haul route locations are illustrated on the Reclamation Plan Site Map, REC-101, and are subject to change dependent on active mining areas. New roadways remain in place until mining operations have concluded. The roads situated within the project boundaries will eventually be mined as the project progresses. Subsequently, the access road into the site will be dismantled, and the subgrade soils will be ripped and re-vegetated.

SYMAN, LLC Page3



Re-Vegetation Plan:

At the completion of mining activities, the perimeter of the pit will be blended into the surrounding grades to eliminate straight lines and abrupt changes in vegetation patterns or soil types. Portions of the pond reclamation process may consist of preparing access points such as boat access and beaches.

The pit reclamation will consist of:

- 1) Grading the pit floor to an approximately smooth surface,
- 2) Grading the pit slopes,
- 3) Spreading salvaged topsoil on the disturbed area,
- 4) Seeding the areas reclaimed.

Salvaged topsoil will be stored in perimeter berms on the site. The berms will be vegetated during the mining activities. The stockpiled soil will be distributed over the re-shaped surfaces prior to re-seeding.

The seed will be spread over the surface at a rate of 21 pounds of pure live seed per acre. The seeding will take place between March 15 to September 1. The seed will be spread over the new topsoil with a mechanical spreader and harrowed into the soil or will be applied to the soil with the use of a seed drill. The seed used in the reclamation will be the following seed mix:

Grasses	PLS Lbs/Acre
Bluebunch Wheatgrass	5
Thickspike Wheatgrass	4
Big Bluegrass	3
Sandberg Bluegrass	3
Idaho fescue	3
<u>Forbs</u>	PLS Lbs/Acre
Bottlebrush Squirreltail	1
Western Yarrow	0.25
Fernleaf Biscuitroot	1
Blanket flower	0.75

All seed will be certified noxious weed free and will be inspected before application to be free of mold. It is recommended that the seed be less than one-year-old. Reclamation activities will be completed within 8 months of final mining activities.

Reclamation of tailings, process, or sediment pond reclamation:

All aggregates will be removed from the site or blended into the grading activities prior to placing any topsoil. Stockpiles of reject sand or other aggregates will be similarly incorporated into the final grading. Any temporary ponds (sediment ponds) that are not part of the final pond area will be filled prior to grading slopes.



ATTACHMENTS:

Topography Map, Figure 11 x 17
Vicinity Map, 11 x 17
Canyon County Assessors Map, 8 ½ x 11
Canyon County Assessors Information, 8 ½ x 11
Expense Estimation
Reclamation Plan Drawings:
Facility Plan, FP-101, 11x17
Reclamation Plan, REC-101, 11x17, REC 501 & REC-502, 11X17
Concept Plan, CP 101, 11x17 & CP-501, 11x17



Q New Search







General Information

Owner: Flenniken Christie J 2003 Revocable

Mailing Address: 23517 Ode Ln Caldwell Id 83607

Property Address: 0 Boise River Rd Neighborhood: 250000 Notus Farm

Parcel ID: 35953010 0

Property Class: 102 Irrigated pastu

Deeded Acres: 39.8700

District: 136-00



Description

04-4N-4W NE TX 05891 IN SENE



Instrument	Date	Owner	Grantee
200576484	11/16/05	Houston Michael M	Flenniken Christie J 2003

Exemption History





Year Reason **Land Value** Improvement Va 2019 02- Assessment Update 33,730 items per page Land Details **Land Type Acres IRRG GRAZING** 38.11 19 Waste / Easement 1.76 Improvements **Property** Improvement Record **Use Code Description** Year Built Length (ft.) No improvements data present. Additional Commercial Info. **Property Record Use Code Description** No additional commercial improvements data is present. Floor Areas Non-commercial floor area data is not available. Commercial Floor Area No commercial floor area data exists.

Zi Permits

Filing Date Inactive Date

Sq Ft

Permit Description

Client: Nampa Paving and Asphalt Co.

444 W. Karcher Rd. Nampa, ID. 83687



Quotation

Project Number: 231426

Estimator:

Estimator Phone:

Estimator Email: a.lyman@symancompany.com

Project Name: Christina Wood Property

Project Location: 21377-21124 Boise River Rd.

Bid Date:

Scope of Work: The total acres involved in the mining is 40.0 acres. 4.5 acres will be preserved as setbacks and preserved riparian areas. About 38.25 acres will be disturbed to excavate the ponds, dewatering trenches, berms, and roadways. Of the 40.0 acres, approximately 38.25 acres will be pond. We estimate with the pond banks included up to about 6 acres will need to be re-graded.

ITEM	QUANTITY	UNITS	DESCRIPTION	UN	IIT PRICE	TOTAL
Re-Grading	5	Days	Flatten existing stockpiles and spread topsoil over disturbed areas	\$	4,500.00	\$ 22,500.00
Mobilization	2	LS	Mobilize equipment to the site	\$	1,500.00	\$ 3,000.00
Clean Up	1	LS	Remove debris or equipment left by operation	\$	850.00	\$ 850.00
Seeding	10	Acre	Apply noxious weed free native seed blend at 21 lb/acre with fertilizer per acre	\$	890.00	\$ 8,900.00

MATERIAL TOTAL \$ 35,250.00

END OF QUOTATION

Contractor Lic # RCE-22495
Public Works # 17170C4
Office (208) 287-8420

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



To: Dahlia Alnajjar, CFM

From: Ron Manning MS, PE, CFM

Date: May 13, 2025

Re: Nampa Paving - Christina Wood Pit - No-Rise Certification

MEMORANDUM

1. BACKGROUND, NEED, AND PURPOSE

Nampa Paving and Asphalt Company (Owner) plans development within the floodplain (Zone AE) of the Lower Boise River in Unincorporated Canyon County. The Owner intends to construct a gravel extraction operation on the property (Parcel #R35951010) and seeks to obtain the necessary floodplain permitting approvals. The figure below shows the project area (red) overlayed onto the effective FIRM. We believe this analysis and no-rise certification satisfies the county's floodplain permitting requirements provided by the Owner.

Effective Products

The effective FIS and FIRM panel (16027C0204G) became effective on 6/7/2019. The FIS states the effective mapping is based on a hydraulic analysis completed in 2013. The effective FIS base-flood flow magnitude (16,600 cfs) was used.

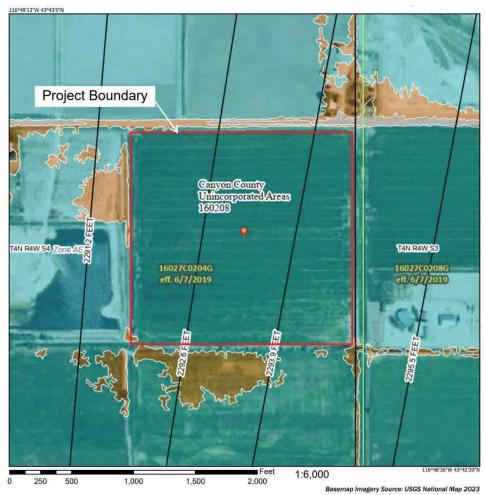


Figure 1. Effective FIRM showing proposed project boundary (red border) Boise River not shown (located to the north).

2. HYDRAULIC ANALYSIS

The effective FEMA model for the Lower Boise River was obtained from FEMA. The effective model was developed in HEC-RAS with topographic/bathymetric data collected in 2003 (CRS: NAD 1983 State Plane Idaho West). HEC-RAS 6.6 was used for this analysis and LiDAR survey data collected in 2019 was used to revise the model geometry. The effective model extents were preserved. The proposed project is south of Boise River Road and west of Notus Rd. The proposed project is intersected by two effective cross sections XS 15.21 and XS 15.374.

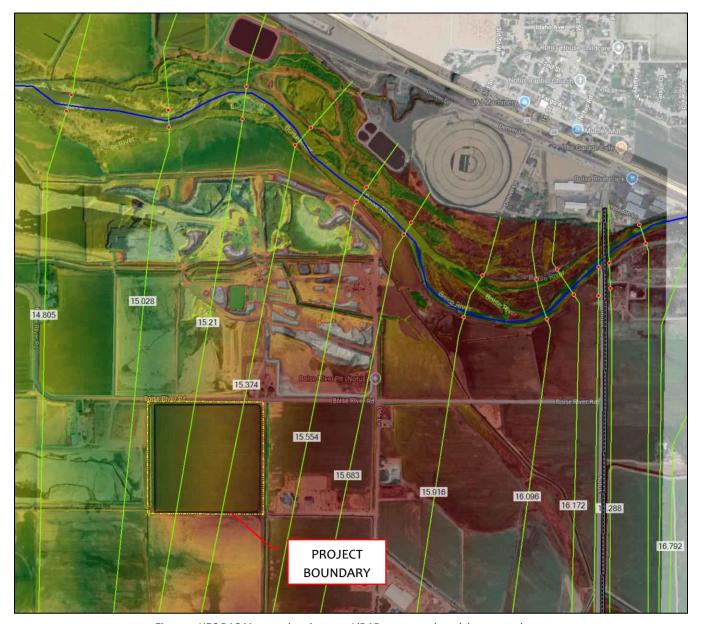


Figure 2. HEC-RAS Mapper showing 2019 LiDAR extent and model cross sections.

2.1 Hydraulic Models

The following models were developed in support of this no-rise certification.

2.1.1 Effective, Duplicate Effective Models

These models were the original 2013 models. They were re-run in HEC-RAS 6.6. We confirmed the results did not change for these plans.

2.1.2 Corrected Effective Model

A 1D corrected effective model was created by revising the cross sections within the main channel only. Manning's n values were not modified or calibrated.

2.1.3 Existing or Pre-Project Model

This plan used the Corrected Effective model and added topographic changes in the overbank areas based on the 2019 LiDAR data. The Sunroc gravel mining project (north of this project) was not reflected in the pre-project condition model because the model already designated the Sunroc project area as ineffective flow area, so the project pits did not affect the modeling.

2.1.4 Proposed or Post-Project Model

The post-project geometry was developed by updating the pre-project model to reflect proposed conditions from the attached grading plan. The project includes a dewatering channel and an earthen berm encircling the site, with an opening at the northwest corner for ingress and egress. This entrance is located on the downstream side relative to flood flows, minimizing water entry into the site and allowing flow to exit. The berm will prevent the site from conveying floodwaters, and most flow will exit via infiltration through the gravel pit. These changes were incorporated into the model using terrain modifications in RAS Mapper and adjustments to cross-sections XS 15.21 and XS 15.374.



Figure 3. Excerpt of site plan from reclamation plan.

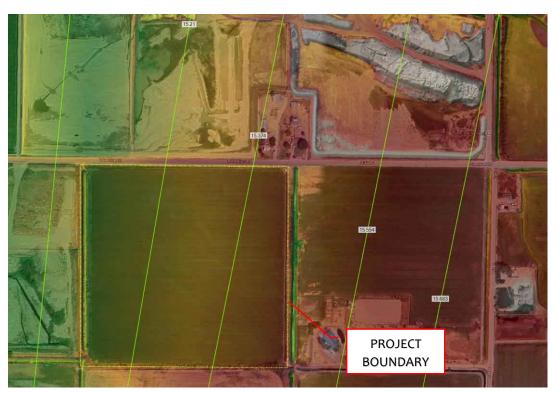


Figure 4. 2019 LiDAR

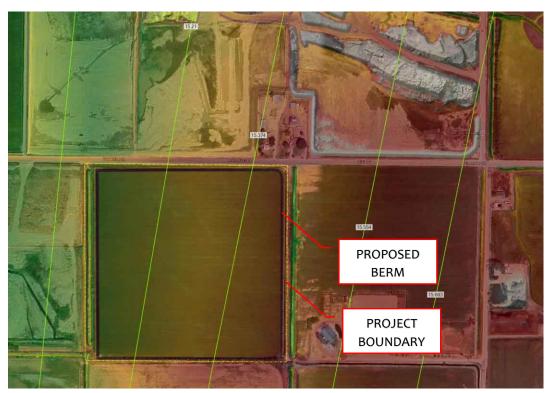


Figure 5. 2019 LiDAR terrain with proposed Berm around the project site.

2.2 Modeling Results

The pre- and post-project model results showed no changes in BFE between the two scenarios for both the base flood and floodway conditions. The cross section plots have been appended to this memo showing the 4 cross sections in the vicinity of the project for both the pre- and post-project conditions.

Tabulated results for the 100-yr and Floodway profiles are included below.

	l abulated re	esults for the 100-yr	and Floodway p		led below.
	T			Existing (Pre)	Proposed (Post)
Reach	River Sta	Profile	Q Total	W.S. Elev	W.S. Elev
			(cfs)	(ft)	(ft)
Lower	15.916 CC	1percent	16600	2298.6	2298.6
Lower	15.916 CC	Floodway	16600	2298.65	2298.65
Lower	15.683 CB	1percent	16600	2296.48	2296.48
Lower	15.683 CB	Floodway	16600	2297.01	2297.01
Lower	15.554 CA	1percent	16600	2295.47	2295.47
Lower	15.554 CA	Floodway	16600	2296.14	2296.14
Lower	15.374 BZ	1percent	16600	2293.93	2293.93
Lower	15.374 BZ	Floodway	16600	2293.93	2293.93
Lower	15.21 BY	1percent	16600	2292.57	2292.57
Lower	15.21 BY	Floodway	16600	2292.58	2292.58
Lower	15.028 BX	1percent	16600	2291.2	2291.2
Lower	15.028 BX	Floodway	16600	2291.3	2291.3
Lower	14.805 BW	1percent	16600	2289.25	2289.25
Lower	14.805 BW	Floodway	16600	2289.7	2289.23
Lowei	14.803 BW	Floodway	10000	2209.7	2209.7
Lower	14.65 BV	1percent	16600	2287.88	2287.88
Lower	14.65 BV	Floodway	16600	2287.99	2287.99
		,			
Lower	14.489 BU	1percent	16600	2286.36	2286.36
Lower	14.489 BU	Floodway	16600	2286.6	2286.6
Lower	14.342 BT	1percent	16600	2285.26	2285.26
Lower	14.342 BT	Floodway	16600	2285.5	2285.5
Lower	14.136 BS	1percent	16600	2283.77	2283.77
Lower	14.136 BS	Floodway	16600	2283.83	2283.83

Figure 6. Pre- and Post- project WSE results for the 100-yr and floodway model simulations.

ENGINEERING "NO-RISE" CERTIFICATION

This is to certify that I am a duly qualified engineer licensed to practice in the State of Idaho. It is to further certify that the technical data summarized herein supports the fact that proposed project will not impact the 100-year flood elevations, floodway elevations and floodway widths on the Lower Boise River at published sections in the Flood Insurance Study for Unincorporated Canyon County dated 6/7/2019 and will not impact the 100-year flood elevations, floodway elevations, and floodway widths at unpublished cross-sections in the vicinity of the proposed development.

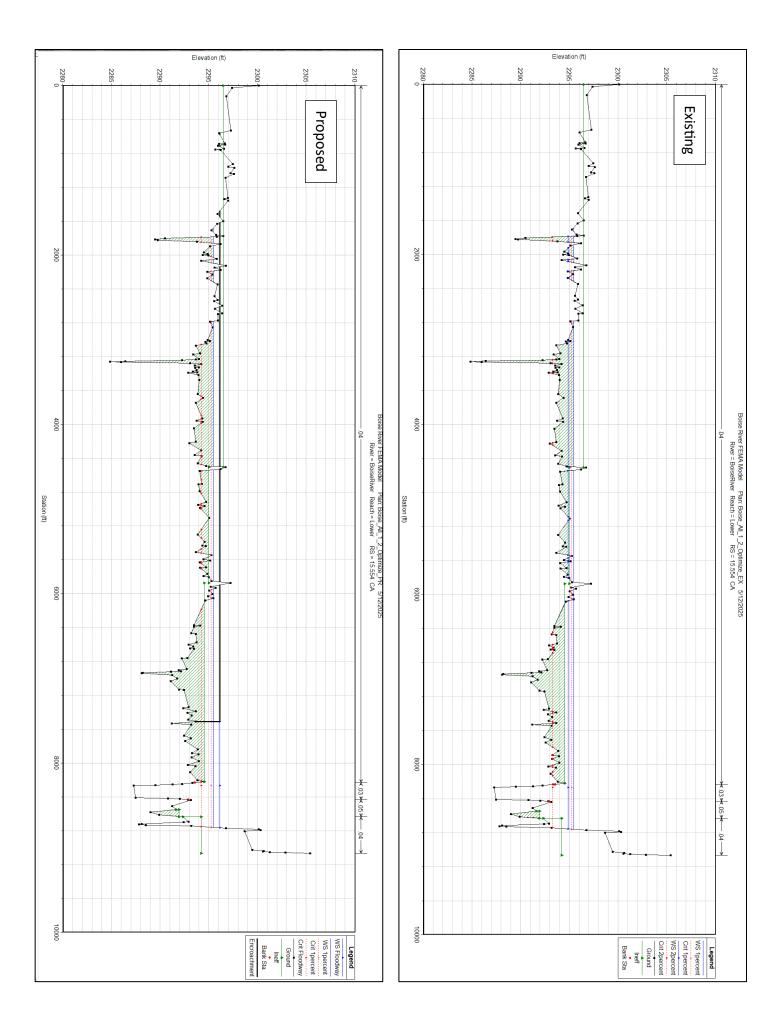
Ron Manning PE, CFM Principal Engineer

Manning Civil 2976 E State St Ste 120-435 Eagle, ID 83616



ENGINEERING "NO-RISE" CERTIFICATION

This is to certify that I am a duly qualified e the State of Idaho	ngineer licensed to practice in
It is to further certify that the attached techn proposed Christina Wood Mineral Extraction P (Name of Developm not impact the 100-year flood elevations, flowidths on the Lower Boise River	Projectwill ment) Dodway elevations and floodway
in the Flood Insurance Study for Canyon C	County, Idaho (Unincorporated Areas) (Name of Community)
dated	and will not impact the 100-year loodway widths at unpublished
Attached are the following documents that s	upport my findings:
No-Rise Certification Memo	
	· · · · · · · · · · · · · · · · · · ·
(Date) 5/14/2025	
(Signature) Rolling	(Title) Principal - Manning Civil, LLC
2976 E State St.	(Seal)
Ste 120-435	45 ICENSED CITY
Eagle, ID 83616 (Address)	17211 SOLUTION OF LOWING MANNING



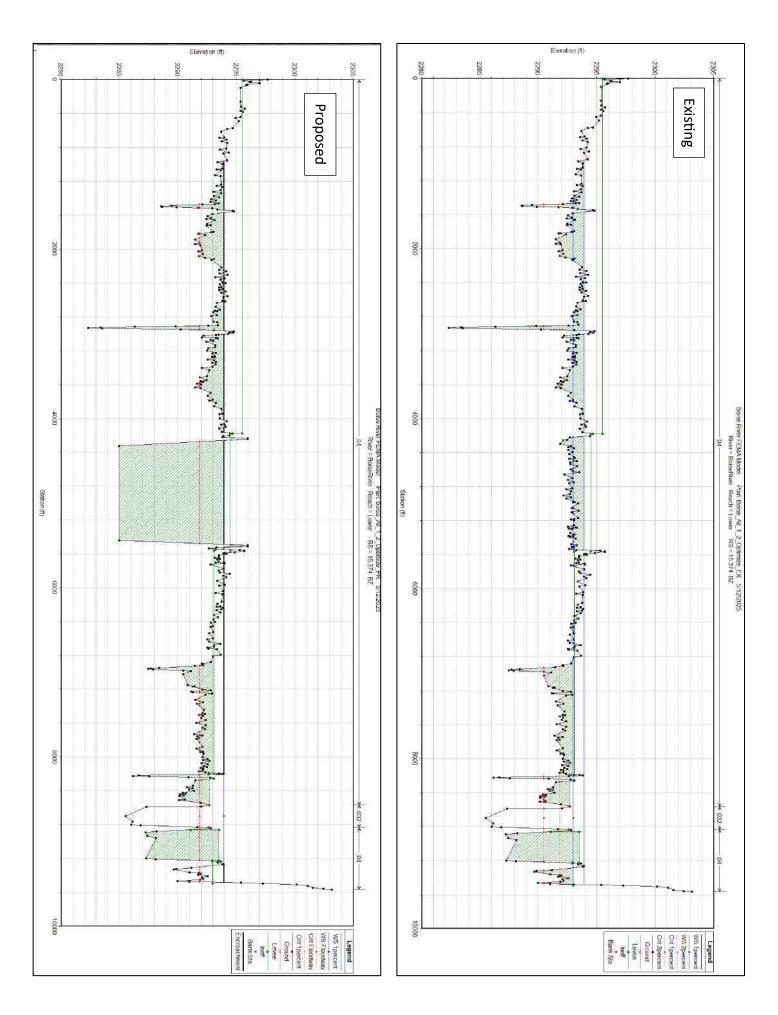
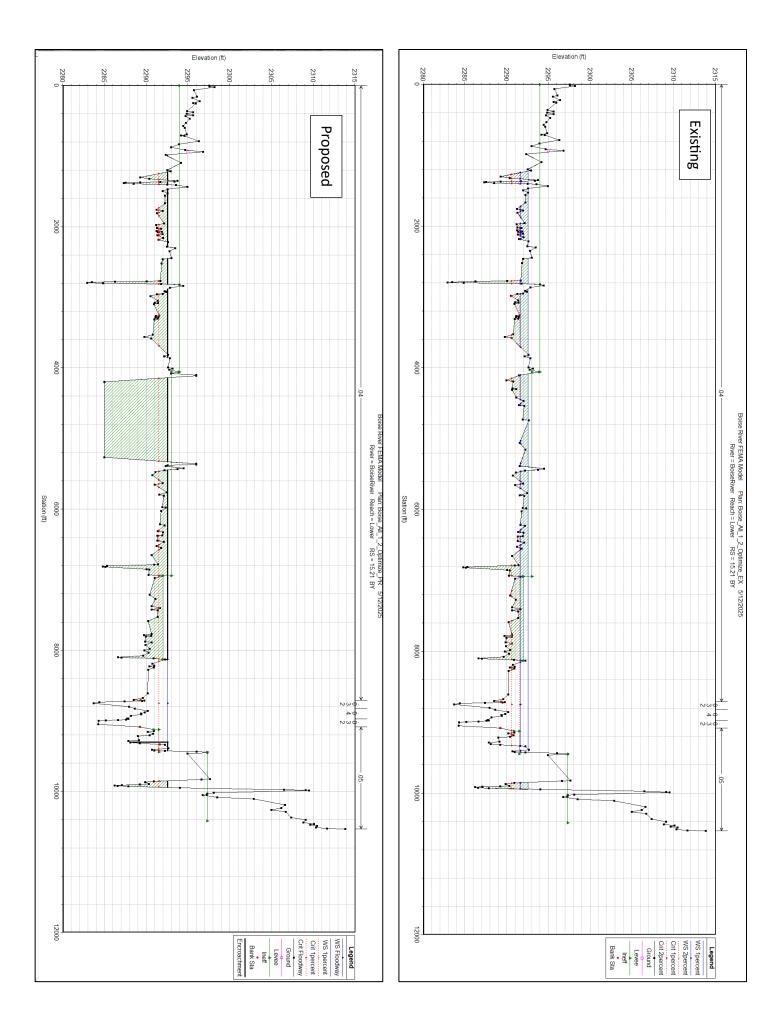
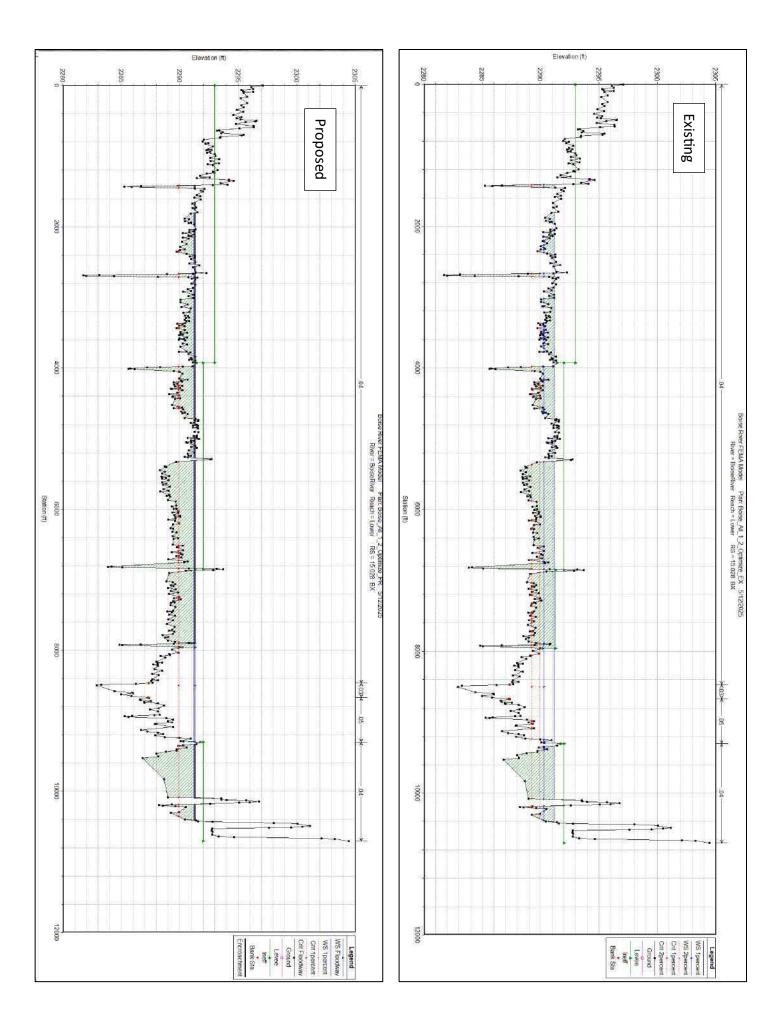


Exhibit A.7







NOTES

1. ENACUATION A REA WILL BE LOCATED AT THE LAYDO
ALLEQUIPMENT WILL BE STAGED IN THIS LOCATION IN THE
OF AN INDIRECTORY PICE. BE MOVED THROUGHOUT THE SITE.
AREA AND WILL NOT BE MOVED THROUGHOUT THE SITE.

REVISIONS
NO. DATE BY DESCRIPTION

REVISIONS
NO. DATE BY DESCRIPTION

L. NYGASARD
DATE May 2025

SHET NUMBER:
SHET NUMBER:

EVACUATION PLAN
CHRISTINA WOOD PROPERTY
BOISE RIVER ROAD

CANYON COUNTY NOTUS, IDAHO
NAMPA PAVING

SYMAN

A/A |

SYMAN, LLC

2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420

FACILITY LIMITS
PROPERTY LINE
STOCKPILE / STORAGE
PARKING

CANAL / DITCH
EDGE OF POND
STRUCTURES

50' VEGETATED BUFFER

UNIT AREA

LEGEND

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

for:

Christina Wood Property

21377-21124 Boise River Rd. Caldwell, Canyon County, Idaho 83607

SWPPP Contact(s):

Nampa Paving & Asphalt Co.

Tyson Bird 444 Karcher Rd. Nampa, ID, 83687 Office: (208) 466-4051 Fax: (208) 466-4071

Email: Tyson@NampaPaving.com

SWPPP Prepared by:



Syman, LLC
Jack Nygaard
2101 Delta Dr.
Nampa, ID 83687
(208) 287-8420
J.Nygaard@SymanCompany.com
Syman File No. 231426

SWPPP Preparation Date:

6/01/2023



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1.1

Facility Information.

SECTION 1: FACILITY DESCRIPTION AND CONTACT INFORMATION

Facility Information
Name of Facility: Christina Wood Property
Street: 21377-21124 Boise 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)
Is your facility presently inactive and unstaffed and are there no industrial materials or activities exposed to stormwater? Yes No
Latitude/Longitude
Latitude: Longitude:
43.7136 ° N (decimal degrees) -116.8152 ° 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): 40.00-acres



Estimated area of industrial activity at site exposed to stormwater (to the nearest quarter acre): 31.75 Discharge Information Does this facility discharge stormwater into a municipal separate storm sewer system (MS4)? \Box Yes \boxtimes No If yes, name of MS4 operator: N/A Note: The access road to the site is gravel paved. Stormwater infiltrates into the ground. Any excess water flows into barrow ditches the run parallel to the road where it flows into cultivated fields Name(s) of surface water(s) that receive stormwater from your facility: Unnamed Irrigation Canal North Drain Does this facility discharge industrial stormwater directly into any segment of an "impaired water" (see definition in 2021 MSGP, Appendix A)? □Yes ⊠No The site will be surrounded by berms. Berms will be created by overburden from mining activities. Stormwater inside the berms where industrial activities will be occurring will be directed to the excavated ponds. During this time, the berms are not yet stabilized with vegetation and some stormwater runoff from these berms can discharge to the ditches that surround the site and could ultimately enter the waters of the United States. Vegetated trenches located within the mining area will be used to convey discharge to an unnamed irrigation canal located at the southeast corner of the property line. Discharge to the unnamed irrigation canal will travel approximately 1,200 feet before entering the North Drain. If yes, identify name of the impaired water(s) (and segment(s), if applicable): N/A Identify the pollutant(s) causing the impairment(s): N/A Which of the identified pollutants may be present in industrial stormwater discharges from this facility? N/A Has a Total Maximum Daily Load (TMDL) been completed for any of the identified pollutants? If yes, please list the TMDL pollutants: N/A



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 Operator:

Operator: Nampa Paving & Asphalt Co.

Contact: Tyson Bird

Address: 444 Karcher Rd.

Nampa, ID, 83687

Office: (208) 466-4051

Email: Delfo@NampaPaving.com

SWPPP Contact and 24-hour Emergency Contact:

Company: Nampa Paving & Asphalt Co.

Name: Tyson Bird Office: (208) 466-4051 Cell: (208) 602-7292

Email: Tyson@NampaPaving.com

SWPPP Preparation:

Company: Syman, LLC Name: Jack Nygaard Office: (208) 287-8420 Fax: (208) 887-4927

Email: J.Nygaard@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
Operator Phone# (208) 466-4051 Nampa Paving & Asphalt Co.	The operator 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 Tyson Bird Nampa Paving & Asphalt Co.	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, conduct site inspections, training, stormwater monitoring/testing, and address stormwater over the entire site, including all areas disturbed by site activities and areas used for materials storage.
Stormwater Management Jack Nygaard Syman, LLC	Preparation of the Stormwater Pollution Prevention Plan and consulting as needed.
Stormwater Consultation Adam Lyman Syman, LLC	Consultation as needed.

1.4 Site Description

The site is located south of Boise River Rd. between the properties of 21377 and 21124 Boise River Rd in Caldwell, Idaho; parcel number R35953101. The access point to the site will be located on the northwest corner of the property with the haul road running south along the west project boundary. Approximately half of the site will be utilized for the mining of gravel and aggregate and the remaining site area will be used as a staging and sorting area for the mined material. A 50-foot undisturbed buffer will separate the edge of the property from the active mining site and berms will be utilized to contain any potential stormwater within the active site. Currently, the site consists of open land with typical pasture vegetation. Irrigation overflow ditches run along the east and west property lines and terminate at the south end of the property. The Mumford Lateral terminates at the southwest corner of the parcel, according to the Idaho Department of Environmental Quality's Final 2022 §305(b) Integrated Report. The water carried by the Mumford Lateral has been diverted into an unnamed ditch and that runs 1,200 feet to the south to the North Drain. No land disturbance has taken place at the proposed mining site. However, during site preparation, activities such as grubbing and the development of perimeter berms will be undertaken. These measures aim to address the natural topography and retain stormwater onsite, allowing it to infiltrate into the ground. The property is bordered by an active aggregate and gravel mining pit to the north, and a recently reclaimed mining pit to the east. To



and gravel mining pit to the north and west. To the south, there is undeveloped agricultural land, and to the east lies a residential home surrounded by agricultural land.

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 A.

SECTION 2: POTENTIAL POLLUTANT SOURCES

The entire site is susceptible to stormwater exposure, meaning that pollutants can be expected throughout the site during rainfall.

This site's industrial activity are as follows:

The site is composed of mining operations. The current 40.00-acre mining site will only be mined on the southern half of the property. The northern half of the property will host a 10-foot privacy berm which will line the northern property line along Boise River Road., The total acreage of disturbed area by mining activities, roadways, and parking areas will be approximately 31.75-acres. The southern portion of the site will be cleared and grubbed in preparation of mining with the overburden placed along the site perimeter to create berms for retaining stormwater onsite. To enclose the proposed mining area, berms will be constructed along the entire perimeter which will be a minimum of 2-feet tall and 4-feet wide. An undisturbed buffer of 50 feet will be maintained from the perimeter berm to the active mining area located on the southern half of the property.

Once the topsoil has been removed, the area will be mined for sand and aggregate. Mined aggregate will be screened and sorted into final stockpiles at a staging area located on the northern half of the site. The materials from these stockpiles will be transported off-site for use in construction projects. A graveled haul road will be constructed within the bermed area running south along the west property line. A scale will be placed along this roadway. Dewatering will occur on the southeast corner of the site. Discharge from dewatering activities will flow into vegetated trenches and from there, into a pre-existing unnamed irrigation canal. The unnamed irrigation canal will continue south and discharge into the North Drain, which in turn flows into Dixie Slough and the Boise River.

Throughout all activities on the site, best management practices (BMPs) will be implemented to control stormwater. After the topsoil has been removed, stormwater will be retained on-site to prevent any discharges.

2.1 Potential Pollutants Associated with Industrial Activity

Industrial activities exposed to stormwater consists of handling construction aggregates and overburden soil at the site. There will be very little material stored at the site. Equipment and vehicle parking, fueling, and minor maintenance will take place at the site. Fuel and lubricating oils will be brought to the site on service vehicles as needed. Major maintenance and repairs will be done at the operator's main yard. Equipment will not be cleaned on site and will be taken to the operator's main site if necessary. Pollutants or pollutant constituents associated with these



activities will be contained through active and passive measures as described in Section 2.2 below.

Industrial Activity	Associated Pollutants	
Fueling area	Possible oil and fuel spill during transfer	
Excavation of aggregates	Sediment from exposed soils Dust from exposed soil	
Stockpiling aggregates	Sediment from exposed soils	
Stockpiling overburden/Berm construction	Sediment from exposed soils Dust	
All activities	Possible oil and fuel from machinery	
Fueling/maintaining equipment	Oil and fuel	
Emissions from Baghouses	Particulates	

If you are a Sector S (Air Transportation) facility, do you anticipate using more than	
gallons of pure glycol in glycol-based deicing fluids and/or 100 tons or more of area	on an
average annual basis?	

Yes	\square No	\boxtimes Not	Sector	S

If you are a Sector G (Metal Mining) facility, do you have discharges from waste rock and overburden piles?

_	ANY PRODUCTION OF THE PERSON O	A 100 - 100	MANAGERO CONTROL CO. ANGELL USE	2000
	Yes	\square No		
	YAC	LINO	X NOI Sector	0.00

2.2 Spills and Leaks

The perimeter berms will prevent stormwater runoff from leaving the site and potentially discharging to the waters of the US. These perimeter berms will be inspected regularly, ensuring their integrity is not compromised. The perimeter berm areas are not highly exposed to the facility's industrial activities and any stormwater discharges will be monitored.

Areas of Site Where Potential Spills/Leaks Could Occur

Location	Discharge Points
Equipment work area (equipment could malfunction or otherwise leak during normal operations)	Equipment work areas will be graded to contain stormwater on site.
Truck and equipment parking area	Areas will be graded to contain stormwater
Fuel storage	Bulk fuel tanks are inside secondary containment and fueling area is graded to contain stormwater
Fueling (equipment work areas)	Equipment work areas are graded to contain stormwater on site
Truck loading area (trucks could leak oil or fuel while being loaded	Areas exposed to truck traffic are graded to contain water on site

EPA Industrial SWPPP Template, June 26, 2021



Crushing and screening equipment leak

The crushing/screening area is graded to contain water on site.

Spill containment of possible pollutants described in Section 2.1 above consists of:

- 1. Portable spill prevention pads will be used to re-fuel and maintain equipment on site.
- 2. Major maintenance and repairs will be performed off site, at the operator's main shop building where proper containment is available.
- 3. A spill kit is kept at each of the production/plant facilities to clean up spills from vehicles and equipment at the site.
- 4. Maintenance trucks have spill kits to clean up spills during minor maintenance or repairs.

Description of Past Spills/Leaks

There have been no known past spills or leaks at this site.

2.3 Salt Storage

There is no salt storage on the site. Salts for de-icing will not be used at this facility.

2.4 Sampling Data Summary

There have been no storm events where a sample could be collected from runoff on the site.



SECTION 3: STORMWATER CONTROL MEASURES

The stormwater is controlled on the site through site grading with permanent or temporary ditches and berms. Before aggregate mining is started, the overburden soil is removed and stockpiled around the perimeter of the area. The stockpiles are seeded to stabilize them, and they create the first runoff control for the facility. The pit is excavated inside the earth berms and stormwater is allowed to pond inside the pit. The pit floor is excavated in stages, so stormwater is channeled to the lower parts of the pit throughout the mining operations. The soils in the pit are sand and gravel soils with a very high permeability, therefore, the water will infiltrate into the floor and there will be no runoff from the pit floor.

The BMPs listed below will be monitored as described unless the site is inactive. Active or in active status changes will be documented on the SWPPP Amendment log in Appendix F and the inactive and unstaffed site statement in Appendix E will be completed.

3.1 Non-numeric Technology-based Effluent Limits (BPT/BAT/BCT)

This site will comply with the following non-numeric effluent limits (except where otherwise specified in Part 8) as well as any sector-specific non-numeric effluent limits in Part 8.

3.1.1 Minimize Exposure

Portions of the site will have the topsoil removed, sand and gravel extracted, and then the topsoil replaced and seeded. This will help to minimize erosion at the site. The sand and gravel that is extracted are granular and not naturally erosive.

CLEARING LIMITS - BMP #1

BMP Description: Minimize the total amount of bare soil exposed to erosive forces by (1) controlling the amount of ground that is cleared and grubbed at one time in preparation for mining, and (2) limiting the amount of time that bare ground may remain exposed before top-soiling and vegetative stabilization are put into place. This measure, in conjunction with preservation of existing vegetation will help reduce the amount of soil lost to erosion on the project.

Site work: During construction, limit clearing of vegetated soils through the following

- Use staking, coordination with project leaders, and existing fences to delineate areas off limits to equipment and materials that will cause soil disturbance.
- 2. Keep equipment as close to the excavation as possible.
- 3. Stage equipment at the designated staging area.
- 4. Uses temporary fence to delineate the edge of construction where needed.
- Use existing areas stabilized with gravel and asphalt or concrete pavement whenever possible.

Installation Schedule: Throughout the life of the facility.	
Maintenance & Inspections shall occur at least quarterly. Condu	
Inspections:	inspections to check for unnecessary ground disturbance. Also
	check for clearing and grubbing beyond the contractor's
	authorization and progress in keeping grading and pollution



control measures current (in accordance with accepted work
schedule).

3.1.2 Good Housekeeping

The site will be maintained by the site manager.

As part of site management, the following good housekeeping BMPs will be maintained:

- 1. Adequate storage for solid waste
- 2. Adequate haul roads to prevent tracking of soil off site.
- 3. Adequate storage areas for hazardous materials.
- 4. Adequate parking areas for equipment and vehicles.
- 5. Clean loading and unloading areas to facilitate safe transfer of materials.
- 6. Designated washout areas for cleaning and detention of sediment laden wash water.
- 7. Adequate and regularly maintained sanitary facilities for the workers in the mining and batch plant areas.

See Section 3.1.4 for handling, and storage of hazardous materials.

SANITARY / SEPTIC WASTE MANAGEMENT – BMP #2

BMP Description: Prevent the discharge of pollutants to stormwater from sanitary/septic waste by providing convenient, well-maintained facilities, and arrange for regular service and disposal. For specific installation and location information, please refer to the site maps and project schedule. Use staking or other methods to ensure temporary sanitary facilities will not tip in high wind events.

Installation Schedule:	Prior to any full time operations at the site. During some periods there will likely be no activity at the site. During periods of inactivity, the temporary sanitary facilities may be removed or maintained at less frequent intervals.
Maintenance & Inspections:	A portable toilet is at the site at all times and is maintained at least monthly (except when the site is inactive) and more often when more personnel are working at the site. Inspect facilities at least each quarter.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

HAZARDOUS WASTE MANAGEMENT - BMP #3

BMP Description: This BMP entails meeting the regulatory requirements of hazardous waste management that includes hazardous waste determination, acquiring an EPA identification number, accumulation, record keeping reporting, and transportation manifesting. Good housekeeping will minimize the contribution of pollutants to stormwater discharges by handling and storing hazardous materials on site in a clean and orderly manner. See part 3.1.4 below for a complete description of procedures.

Installation Schedule:	Throughout the life of the facility.
	The second of th



Maintenance and Inspection:	Inspect whenever fueling occurs. Document fueling activities during regular inspections. Inspect drip pans for the possibility of leaks in the pan itself. Also check for random leaking of
	equipment and irregular slow drips that increase in volume. If drip pans are being used, conduct inspections before forecasted rainfall events to remove accumulated materials. Empty accumulations immediately after each storm event.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

VEHICLE FUELING AND MAINTENANCE - BMP #4

BMP Description: Several types of vehicles and equipment will be used on site. All major maintenance will be performed on site at the shop. Off-Road equipment and vehicle fueling will occur at the fueling area on site. Absorbent, spill-cleanup materials, drip pans, and spill kits will be available at the shop area.

Installation Schedule:	Throughout the life of the project.
Maintenance and Inspection:	Inspect whenever fueling occurs. Document fueling activities during regular inspections. Inspect drip pans for the possibility of leaks in the pan itself. Also check for random leaking of equipment and irregular slow drips that increase in volume. If drip pans are being used, conduct inspections before forecasted rainfall events to remove accumulated materials. Empty accumulations immediately after each storm event.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

Sweeping, if needed, will be performed where the gravel road meets the paved road.

STREET SWEEPING - BMP #5

BMP Description: The contractor will perform street sweeping on paved roadways or parking areas. Sweeping may be accomplished manually or with a mechanical sweeper. The road may need to be moistened prior to sweeping to avoid generation of dust.

Installation Schedule:	Throughout the life of the project.
Maintenance and Inspection:	At least once every 7 days. Inspect for soil on roadways as well as fugitive dust. All materials collected during street sweeping will be disposed of at an off-site location by the contractor.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

Currently the site does not have any storm drains. If plans change and storm drains are installed, the following will apply

3.1.3 Maintenance

BMP Maintenance



The site will use several BMPs to control stormwater runoff and possible pollution in stormwater runoff. Each BMP will be inspected and maintained regularly, as described in the specific BMP descriptions found in Section 3. Remove any debris or sediment regularly.

Equipment Maintenance

Vehicle fueling and minor equipment maintenance will be done at the staging area. Equipment will undergo cleaning at the site to knock off larger mud accumulations. Equipment and vehicle washing will be done at designated locations in the yard. Pollutants or pollutant constituents associated with these activities will be contained through active and passive measures, as described below.

Spill containment of possible pollutants described in Section 2.1 consist of:

- 1. Portable spill prevention pads will be used in equipment fueling and maintenance on site
- 2. Major maintenance and repairs will be performed at the shop where proper containment is available on site.
- 3. A spill kit is kept at the shop for cleanup of spills from vehicles and equipment at the site.

Fueling and maintenance trucks have spill kits to clean up spills during maintenance, fueling, or repairs.

Schedule for maintenance and repairs:

- When equipment is active, equipment will be inspected for leaks daily during operations.
- During inspections, the equipment on site will be inspected for leaks or similar problems that need maintenance.
- If leaks are detected, any spilled oil will be cleaned up immediately and a drip pan will be used to collect leaking fluids until maintenance can be performed. If required, the equipment will be covered to prevent contamination of precipitation.

3.1.4 Spill Prevention and Response

Spill prevention and response procedures are outlined in Section 4.3 of this plan.

3.1.5 Erosion and Sediment Controls

Aggregate stockpiles will be kept throughout the site, primarily at the property boundary and near the crusher

STOCKPILE MANAGEMENT - BMP #6

BMP Description: Stockpile management procedures and practices are designed to reduce or eliminate air and stormwater pollution from stockpiles of soil, aggregates, paving materials such as Portland Cement Concrete rubble, asphalt concrete, asphalt concrete rubble, aggregate base, aggregate sub-base, or pre-mixed aggregate. The stockpiles should be placed in an area where sediment from precipitation will not be discharged to waters of the US. Ensure that stockpiles are not placed in areas where runoff from the stockpiles can discharge beyond the site boundaries.

Stockpiles of the following materials are likely:



Stockpiles of overburden (topsoil): These stockpiles will be placed adjacent to the property lines as berms. Typically, these stockpiles will sit for more than 14 days without being actively worked. Topsoil will be seeded and tackified for stabilization until used.

Stockpiles of aggregates: These stockpiles will consist of aggregates such as sand and gravel for concrete batch manufacturing. These materials are less susceptible to erosion due to their granular nature and will be particularly less prone to dust. These aggregates will be brought or mined on site. These stockpiles will be created and then used in creating specified concrete mixes and hauled from the site. Because these stockpiles are less erodible and not prone to dust, they will not be stabilized except for being placed in areas where runoff from them will not discharge from the site.

To prevent stormwater pollution from stockpiles the following guidelines will be followed:

- Whenever possible, only stockpile materials that can be used within construction timelines.
- Never stockpile materials near or in a stormwater conveyance.
- Stockpile excavated materials up-slope of the excavation whenever possible.
- Excavate the site in stages to limit the size of overburden stockpiles.
- Apply dust control water regularly to stockpiles of materials susceptible to wind erosion.

Installation Schedule:	Throughout the life of the site. Stockpiles of topsoil must be stabilized no later than 14 days after the stockpile is no longer in use. Stabilization must consist of heavy poly sheeting secured with sandbags or covering with hydraulically applied mulch.
Maintenance and Inspection:	At least quarterly. Inspect and verify that BMPs are in place prior to the commencement of associated activities. While activities are associated with the BMPs are underway, inspect weekly during the rainy season and 2-week intervals in the nonrainy season to verify continued BMP implementation. Repair and/or replace perimeter controls to keep them functioning properly.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

STAGING AREAS - BMP #7

BMP Description: This BMP includes measures for collecting runoff from a staging area, materials storage site, or industrial activity area or for diverting water flow away from such areas so that pollutants do not mix with clean stormwater runoff. Staging areas will consist of stabilized parking areas and roadways used at the site. Roadways and parking areas will be stabilized with aggregates on site. Aggregates that are coarse and will limit sediment and tracking from the site will be used at the on-site roadways, areas around the crusher and scale or other areas accessed by vehicles that will be used off-site. Staging areas will be placed where stormwater will be diverted and prevented from discharging off site.

Installation Schedule:	Throughout the life of the project.



Maintenance and Inspection:	Inspections shall occur at least quarterly. Inspect unpaved, graded areas to check for gullies and other signs of erosion. Inspect paving regularly for areas that may allow fine grained soils to be tracked into the public right-of-way.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

SEEDING - BMP #8

BMP Description: Permanent Seeding means growing a long-term or permanent vegetative cover (plants) on disturbed areas that need assistance in re-vegetation. The purpose of permanent seeding is to reduce erosion and sedimentation and to establish desirable competitive ground cover for wildlife habitat and ease of erosion maintenance. Seeding at this site will be performed by drill seeding or broadcast seeding. Areas with slopes will be hydroseeded with mulch and tackifier to keep the soil in place until vegetation is established. Seed will be placed with fertilizer to help ensure it will grow thick enough to provide the needed ground cover. Mulch and tackifier may be needed to stabilize soil on flat ground if seed is placed in dry months when it is unlikely to grow for long periods of time, or to suppress dust.

Installation Schedule:	Portions of the site where construction activities have permanently ceased will be stabilized, as soon as possible but no later than 14 days after construction ceases.
Maintenance and Inspection:	Inspections shall occur at least quarterly. After mineral mining is completed at the site, permanently stabilized areas will be monitored until final stabilization is reached.
Responsible Staff:	Tyson Bird – Nampa Paving & Asphalt Co.

3.1.6 Management of Runoff

DITCHES & SWALES - BMP #9

BMP Description: Ditches and swales could be excavated along portions of the project to collect runoff, divert water flow through the site and allow retained water to be kept on site. Ditches will be placed generally along the perimeter of the property. Ditches and swales will vary in size and will be constructed with equipment at the site. If ditches are created in fine grained soil (topsoil), they should be re-vegetated to stabilize the ditch banks.

Installation Schedule:	Throughout the life of the project.
Maintenance and Inspection:	At least quarterly. All areas will be inspected during construction activities for failure after storm events. Inspect for blockage and that stormwater can pass through the ditches to the retention ponds.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

BERMS - BMP #10



BMP Description: Berms will be constructed of on-site soils to direct stormwater away from mining activity, but to contain stormwater on site. Berms will generally be placed along the perimeter of the property. Berms will vary in size and will be constructed with equipment at the site. If berms are created in fine grained soil (topsoil) they should be re-vegetated to stabilize the berm from eroding. Locations are shown on the site drawings and details can be found in the Stormwater Drainage Report in Appendix D.

Installation Schedule:	Throughout the life of the project.
Maintenance and Inspection:	At least quarterly. All areas will be inspected during construction activities for failure after storm events. Check that berms/dikes are not breached, and that rill erosion is not developing.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

PONDS - BMP #11

BMP Description: Ponds will be constructed at the site following removal of mind material. These ponds will serve to detain and settle both stormwater and runoff water before that water leaves the site. The ponds will be used as a BMP during the life of the site to collect, clean and possibly infiltrate both stormwater and dewatering water. The site is graded to slope to ditches and ponds to control runoff from industrial areas.

The ponds are used as a settling ponds. Water flows into one side of each pond and the water is allowed to cross the pond and flow into the second or third pond. After passing through the ponds, the water flows to the pump where it is lifted into the dewatering ditch. Water discharges after the pump will be discharged to a vegetated swale on the outside of the berms (BMP #10). The water will flow through the vegetated ditches (BMP #9) before it discharges from the site.

Installation Schedule:	Install during final reclamation.
Maintenance and Inspection:	At least every 14 days. All areas will be inspected during construction activities for failure after storm events. Check that ponds are maintaining their initial capacity and that stormwater runoff is being directed to the ponds.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

3.1.7 Salt Storage Piles or Piles Containing Salt

There is no salt stored on the site. De-icing is not performed on site.

3.1.8 Dust Generation and Vehicle Tracking of Industrial Materials

Dust is controlled using water, applied with a water truck.

Typically, the sand and gravel mined from the pit are course materials that are not subject to air erosion unless disturbed. The material handling areas and haul and access roads are gravel paved



to limit dust. When needed, roadways material handling areas and stockpiles are sprayed with the water truck.

DUST CONTROL - BMP #12

BMP Description: This BMP describes products and measures used for reducing or preventing wind erosion by protecting the soil surface, roughening the surface, and reducing the surface wind velocity. The site may be sprinkled with water until the surface is wet. Sprinkling is especially effective for dust control on haul roads and other traffic routes. During summer months, dust control will likely need to be applied daily and constant monitoring will be required. This BMP will be implemented across the entire site but particularly where fine grained soils are exposed, and areas exposed to vehicle traffic.

Installation Schedule:	Throughout the life of the project.
Maintenance and Inspection:	At least every 14 days. Dust control requires constant attention it is not a one-time or once-in-a-while activity. Dust control sprinkling may have to be done several times a day during hot dry weather. Inspect dust control activities to ensure that dust control water is not creating non-stormwater discharges.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

ELIMINATE TRACKING - BMP #13

BMP Description: The contractor will eliminate or control tracking of sediment from the site through implementation of the following:

- Establish stabilized staging areas
- Sweep hard surfaces exposed to cement products regularly (See BMP #7)
- Control construction traffic using project signs and coordination with project leaders.
- Always keep construction traffic on established roadways.
- If tires become excessively dirty, manually clean mud or dirt from tires with brooms and shovels prior to the equipment exiting the site.
- Only allow equipment and trucks on bare soil when necessary.
- Clean mud and/or dirt tracked into any roadway from the site daily.

Installation Schedule:	Throughout the life of the project.
Maintenance and Inspection:	At least quarterly. All materials collected during street sweeping will be disposed of at an off-site location by the contractor.
Responsible Staff:	Tyson Bird - Nampa Paving & Asphalt Co.

3.2 Numeric Effluent Limitations Based on Effluent Limitations Guidelines (ELGs)

This site is subject to the ELG categories found in the table below.



Regulated Activity	40 CFR Part/Subpart	Effluent Limit
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

^{*}See Section 3.4 for Water Quality-Based Effluent Limitations and Water Quality Standards.

The procedures outlined in 3.1.6 Management of Runoff and 3.1.5 Erosion and Sediment Controls will be applied to the areas needing coverage, ensuring all contaminants are contained.

3.3 Water Quality-based Effluent Limitations and Water Quality Standards

The MSGP includes a pH range of 6.0-9.0 standard units, which does not comply with Idaho WQS (IDAPA 58.01.02.250.01.a. Therefore, numeric effluent limitations and benchmark monitoring concentrations for pH shall be 6.5-9.0 standard units.

3.4 Sector-Specific Non-Numeric Effluent Limits

Sector specific limits are generally described in section 3.1 of this plan. Non-Numeric effluent limits apply to clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of mining activities. The following technology based effluent limits will be implemented as described in sections 8.D.2 & 8.J.4.1 of the MSGP.

- Management Practices for Clearing, Grading, and Excavation Activities:
 The BMPs described in sections 3.1.1, 3.1.2, 3.1.5, 3.1.6, & 3.1.8 will be implemented prior to clearing to control stormwater runoff from the site.
- 2. Selecting and installing control measures.

The BMPs described in sections 3.1.1, 3.1.2, 3.1.5, 3.1.6, & 3.1.8 will be implemented prior to clearing to control stormwater runoff from the site.

3. Good Housekeeping

Litter, debris, and chemicals must be prevented from becoming a pollutant source in stormwater discharges. See part 3.1.2 above for housekeeping BMPs.

4. Retention and Detention of Stormwater Runoff.

The drainage at this site serves more than one acre. Stormwater diversions are in place currently.

3.4.1 Requirements Applicable to Earth-Disturbing Activities

Stormwater discharges from earth-disturbing activities are covered under the 2021 MSGP. The following technology based effluent limits will be implemented as described in the MSGP.

1. Erosion and sediment control installation requirements:

All operational downgradient sediment controls will be installed prior to the commencement of construction activities. The BMPs described in Section 3.1.5 will be implemented and made operational as soon as conditions on each portion of the site allow.

2. Erosion and sediment control maintenance requirements:



All erosion and sediment controls will be maintained to remain in effective operation condition. Where a stormwater control needs maintenance to continue operation effectively, efforts to fix the problem will begin immediately and will be completed by the end of the next work day. When a stormwater control must be replaced or significantly repaired, the work must be completed within 7 days, unless infeasible. If 7 days is infeasible, the installation or repair will be completed as soon as practicable.

3. Perimeter controls:

Clearing limits will be established at the start of the project and will be maintained so that sediment does not accumulate.

4. Sediment track-out:

Access roads will serve as the site's stabilized entrance for all activities at the site. Additional controls to remove sediment from vehicle and equipment tire prior to exit, will be utilized as necessary. Sediment that is tracked out onto Boise River Road will be removed by the end of the work day.

5. Soil or sediment stockpiles:

Sediment from stormwater that runs off stockpiles will be minimized by diverting flow around the stockpiles.

6. Minimize dust:

Dust will be minimized through the appropriate application of water or other dust suppression techniques that minimize pollutants being discharged to surface waters. See Section 3.1.8.

7. Restrictions of treatment chemicals:

The only treatment chemical used onsite are polymers, which are used as part of the aggregate crusher's clarifier system and will not be used prior to active mining activities. All chemicals will be suited to the soil type, expected turbidity, pH, and flow rate.

8. Stabilization requirements:

Stabilization measures must be initiated immediately in portions of the site where earth-disturbing activities performed for purposes of mine site preparation have temporarily ceased, but in no case, more than 14 days after such activities have temporarily ceased.



3.4.2 Technology Based Effluent Limits

Employee training will be conducted at the site on an annual basis at the minimum.

Numeric Effluent Limitations Based on Effluent Limitations Guidelines

Reference: MSGP Tables 8.D-3 & 8.J-2		
Industrial Activity	Parameter	Effluent Limit
Mine dewatering discharges at construction sand and gravel and crushed stone mining facilities (SIC 1442-1429)	pH*	6.5-9.0
	Total Suspended	25 mg/L, monthly avg.
Mine dewatering discharges at industrial sand mining facilities. (SIC 1446)	Solids (TSS)	45 mg/L, daily maximum
	pH*	6.5-9.0

¹Monitor annually



SECTION 4: SCHEDULES AND PROCEDURES

4.1 Good Housekeeping

See Section 3.1.2 for itemized good housekeeping procedures. In general, maintaining good housekeeping is an ongoing task that will require daily maintenance. The site superintendent will be responsible for monitoring trash bins and sanitary facilities for maintenance, as needed. All trash bins and sanitary facilities will be emptied in a timely manner. All drums, tanks, and containers on site will be inspected weekly for any potential deterioration or leaks.

4.2 Maintenance

Formal documented quarterly inspections and informal daily observations will determine the need for site maintenance. Maintenance procedures and responsible personnel are outlined in Section 3.1 of this plan.

4.3 Spill Prevention and Response Procedures

The Spill Prevention Response Plan goals are to minimize the potential for hazardous material spills or discharges; to minimize health, safety, and environmental impacts due to hazardous material releases; and to outline and define exact emergency measures to be implemented in the event of a hazardous material spill or discharge. The operator is responsible for administering the Spill Prevention Response Plan.

Hazardous materials are considered to include solid wastes (SW), toxic substance control act (TSCA) regulated materials, resource conservation recovery act (RCRA) wastes, comprehensive environmental response compensation liability act (CERCLA) substances, and petroleum products and wastes.

It is the responsibility of the facility operator to abide by all Occupational and Safety Hazard Administration (OSHA) rules with regards to the storage, application, and use of any hazardous material. OSHA requirements include notification to all emergency agencies and hospitals within the vicinity of the project of the types and amounts of hazardous materials that will be used and applied within the project. Emergency phone numbers will be provided on site and located as required by OSHA.

The objectives of the Spill Prevention and Response Plan are as follows:

- Minimize hazardous material spill and discharge potential by adherence to state, federal, and local guidelines for hazardous material transportation, transfer, storage, application, and use.
- 2. Provide emergency information for personnel so that quick and decisive discharge response measures are understood and implemented.
- 3. Clearly define personnel responsibilities in the event of a spill or discharge and clearly outline notification procedures.
- 4. Implement spill or discharge response, containment, and clean-up practices to minimize environmental impacts.
- Educate personnel as to the location and types of hazardous materials on site, demonstrate
 day-to-day safety procedures to be implemented to reduce spill or discharge potential, and
 educate personnel about recycling petroleum materials and other hazardous materials. The



use of Material Safety Data Sheets (MSDS) will be kept on site for reference and use. Currently, the facility does not store more than 1320 gallons of fuel on site and does not require a Spill Prevention Control and Countermeasure Plan (SPCCP) per the requirements of Title 40 CFR part 112.

HAZARDOUS MATERIAL MANAGEMENT PRACTICES

The primary spill or discharge hazards associated with transportation, transfer, storage, application, and usage of hazardous materials include, but are not limited to:

- Service truck or container distribution to equipment (i.e. mishandling)
- Service truck tank rupture
- Portable tank valve or hose failure
- Mishandling and misuse of common petroleum products
- Inadequate storage and containment parameters provided for hazardous materials
- Inadequate disposal of hazardous materials
- Petroleum products leaking from construction equipment
- Overall operator carelessness in hazardous material transfer, distribution handling, and usage in general; and poor housekeeping

All of which can result in an unwanted spill or discharge.

All hazardous materials transportation, transfer, storage, application, and usage will occur under the terms of this plan and utilize appropriate containment best management practices described herein. Portable fueling trucks or portable product containers will be compliant with state, federal, and local requirements and follow the manufacturer's specifications for transportation, transfer, and storage. When fueling or using other liquids that may be hazardous, spill kits (i.e. booms, absorbent rags, inert substances such as sand, perlite, zeolite, and/or drip trays) will be readily available in case of a spill. Hazardous material transfer will be completed in a manner that will minimize the potential for a spill or discharge. The following procedures will be followed prior to and during hazardous material transfer, distribution, handling, and usage:

- 1. All containers will be inspected prior to any use for ruptures, cracks, rust, evidence of leakage, or faulty seals.
- 2. All containers will be labeled properly to identify the contents and describe hazards as well as cleanup and handling procedures.
- 3. Transportation and transfer of products will require proper packaging, marking, labeling, and placarding identification.
- 4. All damaged, worn, or faulty parts will be repaired or replaced prior to using equipment that will be handling, transferring, or distributing the hazardous materials.
- 5. A tank valve and vent inspection will be completed on the tanker truck prior to transfer and departure, to assure no spills or discharges (including leaks) are present.
- A tank hose disconnection and drain check will be completed prior to tanker transfer and departure from the fueling or dispensing site. Transfer hoses will be inspected for cracks and ruptures prior to use.
- 7. Hazardous materials (including portable services) will be dispensed directly to equipment or the intended purpose and will be completed according to state, federal, and the



manufacturer's guidelines. No transfer of hazardous materials to equipment will occur within 150 feet of any watershed, water feature (including irrigation amenities or domestic water sources), or area susceptible to storm water or surface water movement.

Spill containment of possible pollutants described in section 2.1 above consists of:

- 1. Portable spill prevention pads will be used to fuel and maintain equipment on site.
- 2. Major maintenance and repairs will be performed at the contractor's yard where proper containment is available and not on site.
- 3. A spill kit is kept inside the storage van for cleanup of spills from vehicles and equipment at the site.

The following procedures will be followed to ensure "good housekeeping" of all hazardous materials:

- Only necessary quantities of hazardous materials (i.e. enough to do the job) will be brought to the facility. If a hazardous material is not needed, it will not be brought to the facility.
- Hazardous materials on site will be stored in a neat and orderly fashion; kept in their
 original containers with the original manufacturer's label unless un-sealable; and enclosed
 or covered in a manner that eliminates to the maximum extent exposure to precipitation,
 storm water, and surface waters.
- 3. The contractor will inspect the hazardous material containment and spill kits area on a regular basis to ensure proper storage, use, and disposal of hazardous materials.
- 4. Hazardous materials will not be mixed with one another unless recommended by the manufacturer and will follow the manufacturer's specifications.
- 5. Whenever possible, all the product will be used up before disposing of containers. If the product cannot be used in entirety, the product will be recycled if possible. Hazardous wastes and unwanted hazardous materials will be disposed of or recycled at an approved licensed off-site hazardous material site in accordance with the manufacturer's specifications and all state and federal regulations.

***Original labels, containers, and material safety data sheets will be retained for use in the event of an emergency.

EDUCATION AND TRAINING

Any personnel working directly with hazardous materials, including transportation, transfer, storage, application, and usage of hazardous materials will meet federal training requirements. In addition, all personnel will be educated concerning potential areas where a spill or discharge could occur and drainage routes or air-borne routes that could facilitate transport.

Personnel will be trained on how to handle (e.g. safe storage and transfer of products), use/apply (e.g. manufacturers specifications), know the consequences of (e.g. all safety, health, and environmental concerns), and know what do (e.g. proper containment) if there is a discharge of hazardous materials they may use or come in contact with. Personnel will be certified and trained on proper discharge clean up procedures and where the location and types of discharge clean up equipment are stored (e.g. spill kits). The primary emphasis of training is the administration and implementation of safe working habits and skills with the goal of achieving no hazardous



material discharges and, if a discharge does occur, will accordingly lead to minimization of impacts.

EMERGENCY OPERATING PLAN PROCEDURES

The emergency operating plan procedures and SPCCP will follow the existing **local**, **state and federal guidelines**. All operating procedures from this plan will be enacted in the event of a hazardous material spill or discharge incident. The following is a brief synopsis of procedure and plan details:

- Determine from a safe distance, the type of hazardous material that was spilled or discharged.
 Observe packaging, markings, labels, and placards if possible (binoculars may become
 helpful in such circumstances). Observe weather, topography, and wind directions in
 relevance to the discharge. Notate the distances between surface waters and nearby amenities
 such as dwellings, equipment, and buildings, etc.
- 2. If contaminated, stay away (remain a safe distance) from direct contact with people, equipment, or other amenities to ensure no one else will become contaminated. Communicate from a safe distance to those responsible for initiating containment, decontamination, and clean-up procedures.
- Do not allow other people to enter an area of contamination. Only those who are trained and certified and who are immediately involved with containment and cleanup will be admitted to the discharge site.

REPORTING SPILL INCIDENTS:

Hazardous material spills will be documented and reported in an incident report to the appropriate local, state, and federal regulatory agencies. Any release of hazardous materials that exceeds standards for a 24-hour period as, set in accordance with the Federal Codes of Regulation, will be reported to the National Response Center (1-800-424-8802, when necessary), immediately upon discovery. The contacted emergency agencies will coordinate the necessary response parameters dependent upon the emergency level. If a spill of any size creates a visible sheen on a tributary to the waters of the US, the spill must be reported.

- 1. When reporting a spill, to the best of your ability, please be ready with the following information:
 - Where is the spill?
 - What spilled?
 - How much spilled?
 - How concentrated is the spilled material?
 - Who spilled the material?
 - Is anyone cleaning up the spill?
 - Are there resource damages (e.g. dead fish or oiled birds)?
 - Who is reporting the spill?
 - How can we get back to you?

If a cleanup contractor is required, call:

Master Environmental

P.O. Box 208



Meridian, ID 83680

Office: (208) 888-7979 24-Hour: (208) 490-8889

2. Until help arrives:

- It may be possible to safely conduct containment efforts once communication and assistance have been verified through the Idaho Emergency Management Division;
- Enter the incident area only when properly trained for the material spill (federal certification may be required) and equipped with appropriate protective clothing and equipment;
- Render first aid to victims only if the substance is known and safe for responders, or
 after decontamination has been completed. Be sure to notify medical personnel if any
 exposure to a hazardous material is suspected;
- Serve as an on-scene communication point and provide information to other incident responders.
- Relinquish incident command as soon as possible to the appropriate authorities.
- Containment and neutralization of spill or discharge will only be done after following all previous emergency procedures.
- 4. Document through an Incident Report the following:
 - Date and time of incident:
 - Location/area of incident;
 - Weather conditions—including wind direction and whether it is raining/snowing/sunny/ cloudy;
 - Description (types and amounts of hazardous materials released) and circumstances that lead to spill or discharge release;
 - Identify the containment and clean up practices used
 - Identify other pertinent information of the surrounding area such as adjacent residencies or discharge points to waters of the United States.
- 5. After the incident, reassess the emergency response procedures, refine this response plan, and implement better response measures after cleanup.

The SWPPP will be updated to ensure the incident report becomes a permanent part of the SWPPP. The SWPPP must be revised and adjusted within five calendar days of knowledge of the release to include measures and BMPs to prevent this type of spill or discharge from reoccurring and how to clean up the spill or discharge if there is another incident.

4.4 Erosion and Sediment Control

No polymers or other treatment chemicals will be used to manage erosion and sediment control.

4.5 Employee Training

Training staff and subcontractors is an effective BMP. As with the other steps taken to prevent stormwater contamination at the site, document the training conducted for your staff, for those with specific stormwater responsibilities (e.g. installing, inspecting, and maintaining BMPs.)



Individual(s) Responsible for Training:

Name: Tyson Bird - Nampa Paving & Asphalt Co.

Address: 444 Karcher Rd.
City, State, Zip: Nampa, ID, 83687
Telephone: (208) 466-4051

Email address: Tyson@NampaPaving.com

Training topics planned will include, but will not be limited to, the following:

- 1. Erosion control BMP installation and maintenance
- 2. Identifying potential for stormwater discharge
- 3. Non-stormwater discharges
- 4. Dust control practices
- 5. Spill prevention control and containment
- 6. Temporary and Final stabilization

Training activities will be recorded and kept as part of the SWPPP. Complete a Training Log located in Appendix G and keep completed Training Logs in same Appendix. Training Logs must include date of the training, number and names of attendees, subjects covered, and length of training.

4.6 Inspections and Assessments

Two types of inspections are required at the site:

- Routine Quarterly facility inspections (2021 MSGP, Part 4.6.1);
- Quarterly visual assessment of stormwater discharges (2021 MSGP, Part 4.6.2); and

Site inspections must be conducted by qualified personnel. At least one member of the site's stormwater pollution prevention team must participate in each site inspection, either by performing the inspection personally or reviewing the sample results and filing the report. For this site, Nampa Paving & Asphalt Co. will conduct all inspections.

Inspections during stripping must include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Implemented sedimentation and erosion control measures must be observed to ensure proper operation. Locations where vehicles enter or exit the site must be inspected for evidence of significant off-site sediment tracking.

For each inspection during stripping, you must complete an inspection report. At a minimum, the inspection report must include the information required in MSGP Part 3.1.

Inspections and maintenance of control measures, including any BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation must continue until final stabilization has been achieved on all portions of the disturbed area or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining.



4.6.1 Routine Facility Inspections

Routine facility inspections of the site will be performed quarterly, unless otherwise directed by IDEQ or EPA Region 10. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring. The inspections will verify that all BMPs required in Section 2 and 3 are implemented, effectively minimizing erosion and preventing stormwater contamination from industrial activities. Perform a walk-through inspection prior to known storm events to be sure BMPs are properly installed prior to runoff resulting from the storm. After storm events, remove any accumulated sediment and assess if BMPs need to be modified prior to the next storm event.

If corrective actions are identified by site inspections, during the inspection the deficiency will be recorded and reported. The corrected deficiency will be noted on the subsequent quarterly inspection report. The addition or modification of BMPs must also be documented in a manner similar to the regular inspections.

If a site inspection finds deficiencies in the SWPPP and BMPs specified, then revisions or additions to the SWPPP must be made within 7 calendar days of the inspection. Modified BMPs need to be in place before the next storm event, or as soon as possible, and at least within 7 calendar days of the inspection.

A copy of the inspection form is in Appendix D.

In addition to inspection reports, the following documentation must be available in their entirety during normal business hours.

- The latest revision of this plan tailored to current site conditions.
- Documentation of inspections, including completed inspection report forms.
- Documentation identifying the person responsible for stormwater compliance at the site.

Inspection reports must be completed for each inspection conducted and include the following;

- 1. The date and time of the inspection.
- 2. Names, titles, and qualifications of the personnel making the inspection.
- 3. Weather information
- 4. All observations relating to the implementation of stormwater control measures at the facility, including:
 - a. A description of any stormwater discharges occurring at the time of the inspection;
 - Any previously unidentified stormwater discharges from and/or pollutants at the facility;
 - c. Any evidence of, or the potential for, pollutants entering the stormwater drainage system;
 - d. Observations regarding the physical condition of and around all stormwater discharge points, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;



- e. Any stormwater control measures needing maintenance, repairs, or replacement;
- Any additional stormwater control measures needed to comply with the permit requirements.
- 5. Any incidents of noncompliance observed.
- A statement, signed and certified in accordance with Appendix B, Subsection 11 of the MSGP.

4.6.2 Quarterly Visual Assessment of Stormwater Discharges

This facility has a concentrated discharge as a result of ongoing dewatering activities. This discharge point located on the southwest corner of the site, will be the source for visual assessments. Additionally, some stormwater does discharge from the properties; however, the stormwater discharges through sheet flow and does not concentrate into a concentrated discharge that can be sampled. If the flow is too shallow to directly fill a collection bottle the operator will attempt to concentrate the sheet flow by doing one of the following.

- Concentrating the sheet flow by excavating a small depression in an existing ditch or other location where stormwater runoff flows
- Installing a trough, gutter, or ditch to intercept and concentrate stormwater flow.
- Installing "speed" bumps to convey and concentrate a large area of sheet flow.

These modifications will be made during a period when rain is not forecast so any pollutants generated can be cleaned up before a storm hits. All conveyance channels constructed to receive stormwater should be lined with concrete or plastic to avoid contaminating samples with sediment or other pollutants.

If the site does not have a discharge, the operator will be responsible for documenting that the site did not have a discharge during each quarter.

The monitoring procedures described below will apply to all outfalls.

Once each quarter for the entire permit term, you must collect a stormwater sample from each outfall (except as noted in MSGP Section 3.2.4) and conduct a visual assessment of each of these samples. These samples should be collected in such a manner that the samples are representative of the stormwater discharge.

The visual assessment must be made:

- 1. Of a sample in a clean, clear glass, or plastic container, and examined in a well-lit area;
- 2. On samples collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and you must document why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples must be taken during a period with a measurable discharge from your site; and
- 3. For storm events, on discharges that occur at least 72 hours (3 days) from the previous discharge. The 72-hour (3-day) storm interval does not apply if you document that less



than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

You must visually inspect the sample for the following water quality characteristics:

- Color
- Odor
- Clarity
- Floating solids
- Settled solids
- Suspended solids
- Foam
- Oil sheen
- Other obvious indicators of stormwater pollution

You must document the results of your visual assessments and maintain this documentation onsite with your SWPPP, as required in MSGP Section 6.5. You are not required to submit your visual assessment findings to EPA unless specifically requested to do so. At a minimum, your documentation of the visual assessment must include:

- 1. Sample location(s)
- 2. Sample collection date and time and visual assessment date and time for each sample;
- 3. Personnel collecting the sample and performing visual assessment and their signatures
- 4. Nature of the discharge (i.e., runoff or snowmelt)
- 5. Results of observations of the stormwater discharge
- 6. Probable sources of any observed stormwater contamination
- 7. If applicable, why it was not possible to take samples within the first 30 minutes
- 8. A statement, signed and certified in accordance with Appendix B, Subsection 11

Any corrective action required as a result of a quarterly visual assessment must be performed and documented.

Visual Assessment Information:

- 1. Person(s) responsible for assessments: Tyson Bird Nampa Paving & Asphalt Co.
- 2. Schedules for conducting assessments: Assessments will be conducted quarterly, with visual assessments conducted as necessary with irregular stormwater discharges.
- 3. Specific assessment activities:
 - a. Sampling equipment: Extech Instruments PH100.
 - b. Discharge Points: Locations of site discharge.
 - c. Documentation: Any additional documentation can be found in Appendix D

4.6.3 Exception to Routine Facility Inspections and Quarterly Visual Assessments for Inactive and Unstaffed Sites

If you are invoking the exception for inactive and unstaffed sites relating to routine facility inspections and/or quarterly visual assessments, you must include documentation to support your claim that your facility has changed its status from active to inactive and unstaffed.



This site is inactive and unstaffed, and has no industrial materials or activities exposed to
stormwater, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii)
as signed and certified in Section 7 below.

4.7 Monitoring

Check the following monitoring activities applicable to your facility:

- ⊠Benchmark monitoring
- ⊠Effluent limitations guidelines monitoring
- □State- or tribal-specific monitoring
- □Impaired waters monitoring
- □Other monitoring required by EPA
- □Other monitoring required by IDEQ

The monitoring requirements begin in the first full quarter following the current date of discharge authorization, whichever date comes later. The monitoring quarters are defined as:

January 1st through March 31st

April 1st through June 30th

July 1st through September 30th

October 1st through December 31st

This SWPPP will include the following information for each monitoring checked above:

- 1. Sample Locations.
- 2. Pollutants Sampled.
- 3. Monitoring Schedules.
- 4. Numeric Limitations.
- Procedures.

⊠This site is inactive and unstaffed, and has no industrial materials or activities exposed to stormwater, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii) as signed and certified in Section 7 below.

4.7.1 Indicator Monitoring

Indicator monitoring is not required for the industrial activities at this site related to Sector J.

INDICATOR MONITO	RING
Sample Location(s):	Indicator monitoring is not required for the industrial activities at this site. Should the activities change, and indicator monitoring be needed, the following will apply and this document will be updated. Per Table 8.J.1 of the 2021 MSGP, this project does not qualify for Indicator Monitoring parameter due to there being no paved surfaces within the property



Pollutants to Be Sampled:	Sector D: Polycyclic Aromatic Hydrocarbons (PAHs) Monitoring is required for the 16 individual PAHs identified in Appendix A to 40 CFR Part 423. naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, indeno[1,2,3-c,d]pyrene, and dibenz[a,h]anthracene. Samples must be analyzed using EPA Method 625.1, or EPA Method 610/Standard Method 6440B if preferred by the operator, consistent with 40 CFR Part 136 analytical methods.	
Monitoring Schedule:	Indicator monitoring for PAH must be conducted bi-annually, in the first and fourth year of permit coverage as identified in MSGP Part 4.2.1. As described above, the indicator monitoring will be performed if a sample can be collected for that specific quarter.	
Numeric Limitations:	Indicator monitoring parameters are "report-only" and do not have thresholds or baseline values for comparison.	
Procedures:	 Select a point at the discharge location and collect water using a jar or bottle that can be sealed airtight. Remove lid from container and fill. Replace lid tightly. Keep samples as cool as possible. Fill out information form as completely as possible. Include the water system name, number, sample type. The location needs to be included for documentation in this SWPPP. IMPORTANT: Deliver sample to the lab within 48 hours after sampling. If the sample exceeds 48 hours upon final arrival in the lab, the sample will be declared invalid and discarded. Collect a sample in identical fashion for TSS analysis. Collect a separate sample in a separate jar or bottle for each test. Obtain Chain of Custody form and remit samples to: Analytical Laboratories, Inc. 10804 N. 33rd. St. Boise, Idaho 83703 Phone: 208-342-5515 Fax: 208-342-5591 Note that the lab is not open on Sunday or Holidays. 	



4.7.2 Quarterly Benchmark Monitoring

QUARTERLY BENCHMARK MONITORING			
Sample Location(s):	If there are discharge locations along the perimeter for the site, take discharge samples and note on the site plans in Appendix A the location of the discharge.		
Pollutants to Be Sampled:	See 2021 MSGP Table 4-2 below		
Monitoring Schedule:	Benchmark monitoring must be conducted quarterly, as identified in MSGP Part 4.2.2, for 4 full quarters of year one permit coverage and 4 full quarters of year 4 of permit coverage. Facilities in climates with irregular stormwater runoff, as described in Part 4.2.2.4, may modify this quarterly schedule provided that this revised schedule is reported to EPA when the first benchmark sample is collected and reported, and that this revised schedule is kept with the facility's SWPPP as specified in the MSGP Part 6. If no sample can be collected, this needs to be documented and		
	reported on the quarterly visual assessment form and routine facility inspection report.		
Numeric Limitations:	Benchmark thresholds are in 2021 MSGP Table 4-2 below		
Procedures:	 Select a point at the discharge location and collect water using a jar or bottle that can be sealed airtight. Remove lid from container and fill. Replace lid tightly. Keep samples as cool as possible. Fill out information form as completely as possible. Include the water system name, number, sample type. The location needs to be included for documentation in this SWPPP. 		
	 4. IMPORTANT: Deliver sample to the lab within 48 hours after sampling. If the sample exceeds 48 hours upon final arrival in the lab, the sample will be declared invalid and discarded. 5. Collect a sample in identical fashion for the other monitoring parameters. Collect a separate sample in a 		
	separate jar or bottle for each test if required by the laboratory. 6. Test the pH of one of the samples in the field at the time of sampling with a pH meter. Record the Temperature and pH. Obtain Chain of Custody form and remit samples to:		



Analytical Laboratories, Inc.

10804 N. 33rd. St. Boise, Idaho 83703

Phone: 208-342-5515 Fax: 208-342-5591

Note that the lab is not open on Sunday or Holidays.

After collection of 4 quarterly samples, if the average of the 4 monitoring values for any parameter exceeds the benchmark, or if a single sample, or sum of samples, exceed the benchmark threshold by more than four times for a parameter, the Additional Implementation Measures (AIM) response procedures will be followed as listed in section 6.2 of this SWPPP. If the average of the 4 monitoring values for any parameter has not shown an exceedance of the benchmark, benchmark monitoring may be discontinued until monitoring resumes in year 4 of permit coverage, or for the remainder of the permit if all benchmark monitoring has been fulfilled.

	Reference: 202	21 MSGP Table 4-2
Po	ollutant	2021 MSGP Benchmark Threshold
Total Recoverable Al	uminum (T)	1,100 μg/L
Total Recoverable Be	ryllium	130 μg/L
Biochemical Oxygen	Demand (5-day)	30 mg/L
pН		6.0 – 9.0 s.u.
Chemical Oxygen De	mand	120 mg/L
Total Phosphorus		2.0 mg/L
Total Suspended Solid	ds (TSS)	100 mg/L
Nitrate and Nitrite Nit	rogen	0.68 mg/L
Turbidity		50 NTU
Total Recoverable An	timony	640 µg/L
Ammonia		2.14 mg/L
Total Recoverable Cadmium	Freshwater ¹	1.8 μg/L
	Saltwater	33 μg/L
Total Recoverable Copper	Freshwater	5.19 μg/L
	Saltwater	4.8 μg/L
Total Recoverable Cyanide	Freshwater	22 μg/L
z	Saltwater	1 μg/L
Total Recoverable Mercury	Freshwater	1.4 μg/L
8	Saltwater	1.8 μg/L
Total Recoverable Nickel	Freshwater 1	470 μg/L



	Saltwater	74 μg/L
Total Recoverable Selenium	Freshwater	1.5 μg/L for still/standing (lentic) waters 3.1 μg/L for flowing (lotic) waters
	Saltwater	290 μg/L
Total Recoverable Silver	Freshwater 1	3.2 μg/L
	Saltwater	1.9 μg/L
Total Recoverable Zinc	Freshwater ¹	120 μg/L
	Saltwater	90 μg/L
Total Recoverable Arsenic	Freshwater 1	150 μg/L
	Saltwater	69 μg/L
Total Recoverable Lead	Freshwater ¹	82 μg/L
	Saltwater	210 μg/L

4.7.3 ELG Monitoring

EFFLUENT LIMITATION	1		
Sample Location(s):	Sampling will occur at the discharge point located on the southeast corner of the property into the unnamed irrigation ditch which runs south and discharges into North Drain. 1.1. See Appendix A for more details.		
Pollutants To Be Sampled:	pH, Total Suspended Solids (TSS)		
Monitoring Schedule:	Effluent limitation guideline monitoring must be conducted annually, as identified in MSGP Part 4.2.3. Monitoring will be conducted at the point of dewatering water discharge where the irrigation ditch leaves the site.		
Numeric Limitations:	pН	6.0 – 9.0	
Procedures:	 Select a point at the discharge to collect water using a jar or bottle that can be sealed airtight. Remove lid from container and fill. Replace lid tightly. Keep samples as cool as possible. Fill out information form as completely as possible. Include the water system name, number, sample type. The location needs to be included for documentation in this SWPPP. IMPORTANT: Deliver sample to the lab within 48 hours after sampling. If the sample exceeds 48 hours 		



upon final arrival in the lab, the sample will be declared invalid and discarded.

Before sealing the sample test the water for pH using a portable pH meter. Record the temperature and pH at the time of the test.

Obtain Chain of Custody form and remit samples to:

Analytical Laboratories, Inc.

Boise, Idaho 83703 **Phone:** 208-342-5515 **Fax:** 208-342-5591

10804 N. 33rd Street

Note that the lab is not open on Saturday, Sunday or Holidays.

If any effluent limitation monitoring value exceeds a numeric effluent limitation, the exceedance will be indicated with a "Change NOI" form using the NPDES eReporting Tool (NeT). Additionally, the operator will conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing corrective action(s) taken per Part 5of the 2021 MSGP.

If follow-up monitoring exceeds the applicable effluent limitation the operator will:

- Submit an exceedance report no later than 30 days after receiving laboratory results.
- Continue to monitor, at least quarterly, until the discharge is in compliance with the
 effluent limit or until EPA waives the requirement for additional monitoring. Once the
 discharge is back in compliance with the effluent limitation, it will be indicated on a
 "Change NOI" form.

4.7.4 State- or tribal-specific monitoring

At the time of writing this SWPPP, the state of Idaho does not require any additional monitoring to be performed and will defer to the 2021 MSGP.

This site will not affect any tribal lands and will not require any additional monitoring.

4.7.5 Impaired waters monitoring

At the time of writing this SWPPP, there are no impaired waterways near the facility and no additional monitoring will be required.

IMPAIRED WATERS GUIDELINE MONITORING		
Sample Location(s):	Sampling will occur at the discharge point of the to-be installed culvert exit located at the haul road access. See Appendix A for more details.	
Pollutants To Be Sampled:	E. Coli, Chlorpyrifos, & Total Suspended Solids (TSS),	



100	Impaired waters monitoring must be conducted annually, as identified in MSGP Part 4.2.5.1. If no sample can be collected, this needs to be documented and reported on in the Annual Report and routine facility inspection report.		
2. 3. 4. 5. Obtain Analyt 10804 Boise, Phone Fax: 2	Select a point at the discharge to collect water using a jar or bottle that can be sealed airtight. Remove lid from container and fill. Replace lid tightly. Keep samples as cool as possible. Fill out information form as completely as possible. Include the water system name, number, sample type. The location needs to be included for documentation in this SWPP. IMPORTANT: Deliver sample to the lab within 48 hours after sampling. If the sample exceeds 48 hours upon final arrival in the lab, the sample will be declared invalid and discarded. Before sealing the sample test the water for pH using a portable pH meter. Record the temperature and pH at the time of the test. Chain of Custody form and remit samples to: ical Laboratories, Inc. N. 33 rd Street Idaho 83703 : 208-342-5515 08-342-5591		



SECTION 5: DOCUMENTATION TO SUPPORT ELIGIBILITY CONSIDERATIONS UNDER OTHER FEDERAL LAWS

5.1 Documentation Regarding Endangered Species

Criterion A - No listed species of critical habitat are in the action area.

Idaho Department of Fish and Game responded with "no comments on the proposal" when the project was being reviewed by the Idaho Department of Lands. Utilizing the Information for Planning and Consultation system, the United States Fish and Wildlife Service has the Slickspot Peppergrass listed as a critical habitat area, but due to past farming soil disturbances, the site has no affect. There are no other critical habitats within the area.

A Species Diversity Database Shape file was downloaded from the Idaho Fish and Wildlife Information System (IFWIS). This Shape file contains county/site-specific information on observed locations of species with special conservation status. An endangered/sensitive species map has been created showing the project site location. Also on this map, from the center of the site and out to a radius of one mile all noted species, (Species observed from current date to ten years back) from the IFWIS

The site's action area is as follows:

The action area for this facility's stormwater discharges extends downstream from the discharge point(s) in North Drain. The downstream limit of the action area reflects the approximate distance at which the discharge and any pollutants would be expected to cause potential adverse effects to ESA-listed species and/or critical habitat because it is unlikely pollutants from this facility that may be in the discharge water could be detected over a mile from the site. A one-mile radius surface waters map in Appendix A shows the perimeter of all waterbodies within one mile of the site. The action area does not extend to Boise River or any other nearby canal confluence with Boise River because it is likely pollutants (most likely sediment) will be diluted to an indefectible limit, before leaving the action area.

5.2 Documentation Regarding Historic Properties

Criterion B - Subsurface stormwater controls will not affect historic properties



SECTION 6: CORRECTIVE ACTIONS AND ADDITIONAL IMPLIMENTATION MEASURES

6.1 Corrective Actions

If any of the following conditions occur or are detected during an inspection, monitoring or other means, or EPA or the operator of the MS4 through which you discharge informs you that any of the following conditions have occurred, you must review and revise, as appropriate, your SWPPP (e.g., sources of pollution; spill and leak procedures; non stormwater discharges; the selection, design, installation and implementation of your stormwater control measures) so that this permit's effluent limits are met and pollutant discharges are minimized:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to the water of the United States) occurs at your facility;
- 2. A discharge violates a numeric effluent limit;
- Your stormwater control measures are not stringent enough for your stormwater discharge to be controlled as necessary such that the receiving water of the United States will meet applicable water quality standards or to meet the non-numeric effluent limits in this permit.;
- 4. A required control measure was never installed; was installed incorrectly, or not in accordance with Parts 2 and/or 8; or is not being properly operated or maintained.
- Whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).

If construction or a change in design, operation, or maintenance at your facility occurs that significantly changes the nature of pollutants discharged via stormwater from your facility, or significantly increases the quantity of pollutants discharged, you must review your SWPPP (e.g., sources of pollution, spill and leak procedures, non-stormwater discharges, selection, design, installation and implementation of your stormwater control measures) to determine if modifications are necessary to meet the effluent limits in this permit.

6.1.1 Corrective Action Deadlines

Actions must be taken immediately to perform reasonable steps to minimize or prevent the discharge of pollutants until you can implement a permanent solution, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

If additional actions are necessary beyond those implemented pursuant to Part 5.1.3.1, you must complete the corrective actions (e.g., install a new or modified control and make it operational, complete the repair) before the next storm event if possible, and within 14 calendar days from the time of discovery that the condition in Part 5.1.1 is not met. If it is infeasible to complete the corrective action within 14 calendar days, you must document why it is infeasible to complete the corrective action within the 14-day timeframe. You must also identify your schedule for completing the work, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If the completion of corrective action will exceed the 45-day timeframe, you may take the minimum additional time necessary to complete the corrective action, provided that you notify the appropriate EPA Regional Office of your intention to exceed



45 days, your rationale for an extension, and a completion date, which you must also include in your corrective action documentation (see Part 5.3). Where your corrective actions result in changes to any of the controls or procedures documented in your SWPPP, you must modify your SWPPP accordingly within 14 calendar days of completing corrective action work.

6.2 Additional Implementation Measures (AIM)

If an annual average discharge samples exceeds an applicable benchmark threshold, either by an average sum of monitoring samples or a single sample exceedance, by more than four times for a parameter, the AIM requirements have been triggered for that benchmark parameter and the following AIM-level response procedures will apply in accordance with MSGP Parts 5.2.3, 5.2.4, 5.2.5, and 5.2.6.

AIM Level 1:

- Review the selection, design, installation, and implementation of all control measures to determine if modifications are necessary to meet the benchmark threshold for the applicable parameter.
- o Implement additional measures that would reasonable be expected to bring your exceedances below the parameter's benchmark threshold. If it is determined that nothing further needs to be done to the stormwater control measures, documentation must be included in the annual report as to why the existing control measures bring the exceedances below the parameter's benchmark for the next 12-month period.
- Any additional control measures must be implemented within 14 days of receiving laboratory results. If a 14 day timeframe is infeasible, it must be documented why it is infeasible and be implemented within 45 days.
- After responses above are completed and the exceedance has been reduced below the benchmark threshold, return to baseline status and quarterly benchmark monitoring. If the exceedance remains above the benchmark threshold, advance to AIM Level 2.

AIM Level 2:

- Review the SWPPP and implementation of additional pollution prevention/good housekeeping measures beyond what was done in AIM Level 1. Make modifications to meet the benchmark threshold for the applicable parameter.
- Any additional control measures must be implemented within 14 days of receiving laboratory results. If a 14 day timeframe is infeasible, it must be documented why it is infeasible and be implemented within 45 days.
- After responses above are completed, benchmark monitoring must be conducted for the next 4 quarters for the parameter that caused the AIM triggering event at all affected discharge points, beginning at the next full quarter after compliance. If the exceedance has been reduced below the benchmark threshold, return to baseline status and quarterly benchmark monitoring. If the exceedance remains above the benchmark threshold, advance to AIM Level 3.

AIM Level 3:



- Install permanent controls (e.g., permanent cover, berms, and/or secondary containment), and/or treatment controls (e.g., sand filters, hydrodynamic separators, oil-water separators, retention ponds, and infiltration structures) appropriate to the for the pollutants that triggered AIM Level 3.
- Establish the schedule for installing appropriate structural source and/or treatment stormwater control measures within 14 days and install the selected measures within 60 days. If a 60 day timeframe is infeasible, it must be documented why it is infeasible and be implemented within 90 days. If the installation will take longer than 90 days, the EPA must be contacted for an extension.
- After responses above are completed, benchmark monitoring must be conducted for the next 4 quarters for the parameter that caused the AIM triggering event at all affected discharge points, beginning at the next full quarter after compliance. If the exceedance has been reduced below the benchmark threshold, return to baseline status and quarterly benchmark monitoring. If the exceedance remains above the benchmark threshold, continue benchmark monitoring at AIM Level 3. If the exceedance continues, the EPA may require an individual permit.

In the event that the exceedance is triggered by one of the events in the list below and a review of the control measures is performed, documentation may be recorded and submitted as an AIM exemption and this site will not be required to comply with the AIM responses.

- Natural background pollutant levels exceed benchmark threshold.
- Run-on from a neighboring source is causing the exceedance.
- An abnormal event triggered the exceedance.
- Exceedance of benchmark threshold does not result in an exceedance of water quality standards.

6.3 Corrective Action and AIM Documentation

Documentation within 24 hours:

Document the existence of any of the conditions Corrective Actions that require SWPPP review and revision (MSGP 5.1.1) or AIM Level 1, 2, or 3 (MSGP 5.2.3, 5.2.4, or 5.2.5) within 24 hours of becoming aware of such condition. You are not required to submit this documentation to EPA, unless specifically required or requested to do so. However, you must summarize your findings in the annual report per Part 7.4. Include the following information in your documentation:

- Description of the condition or event triggering the need for corrective action review and/or AIM response. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of United States, through stormwater or otherwise.
- 2. Date the condition/triggering event was identified
- 3. Description of immediate actions taken pursuant to Part 5.1.3.1 to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved. Also include any measures taken to prevent the reoccurrence of such releases (see Part 2.1.2.4); and



4. A statement, signed and certified in accordance with Appendix B, Subsection II.

Documentation within 14 days:

Document the corrective actions and/or AIM responses you took or will take as a result of the conditions listed in Part 5.1.1, 5.2.3, 5.2.4, and/or 5.2.5 within 14 days from the time of discovery of any of those conditions/triggering events. Provide the dates when you initiated and completed (or expect to complete) each corrective action and/or AIM response. If infeasible to complete the necessary corrective actions and/or AIM responses within the specified timeframe, per Parts 5.1.1, 5.2.3, 5.2.4, or 5.2.5, you must document your rationale

If a violation should occur at a substantially similar discharge location with reduced monitoring, a corrective action is required at each of the similar discharge locations.



SECTION 7: SWPPP CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name:	Title:	
Signature:	Date:	



SECTION 8: SWPPP MODIFICATIONS

All SWPPP modifications will be tracked in Appendix F.



SECTION 9: SWPPP AVAILABLITY

The current SWPPP will be kept onsite, along with the current NOI, in a publicly accessible location.



SWPPP APPENDICIES

Appendix A - Site Maps

Appendix B - 2021 MSGP

Appendix C - Notice of Intent

Appendix D - Inspection Forms and Reports

Appendix E - EPA Annual Reporting Form

Appendix F – SWPPP Amendment Log

Appendix G – Training Log

Appendix H - Endangered Species / Cultural Resources

Appendix I – Environmental / Historical Documents

Appendix J – Additional MSGP Documentation



Appendix A – General Location and Site Maps

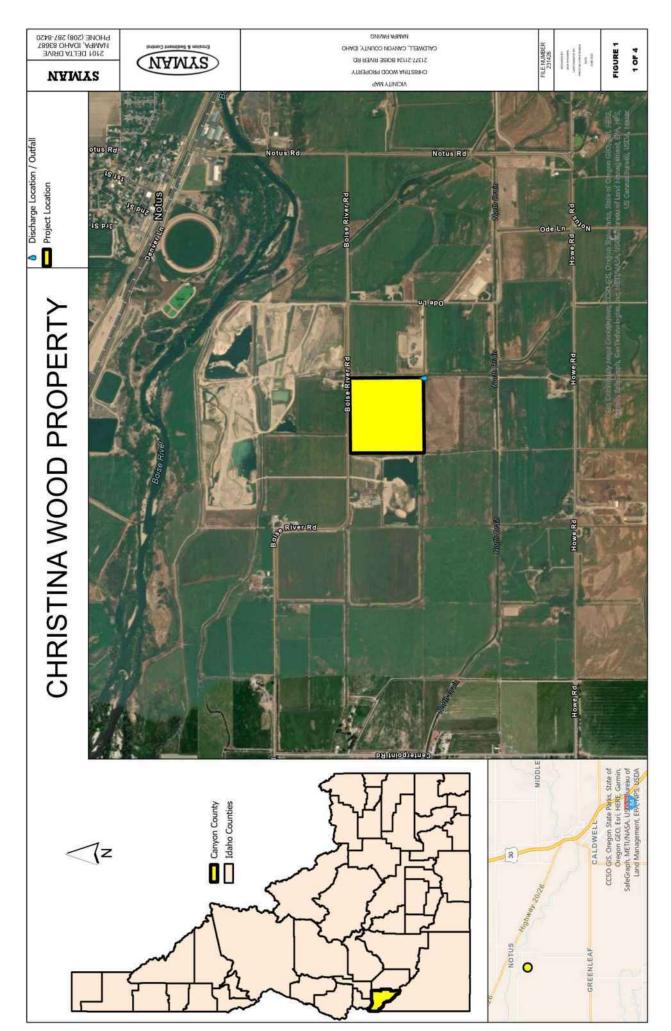


Exhibit A.9

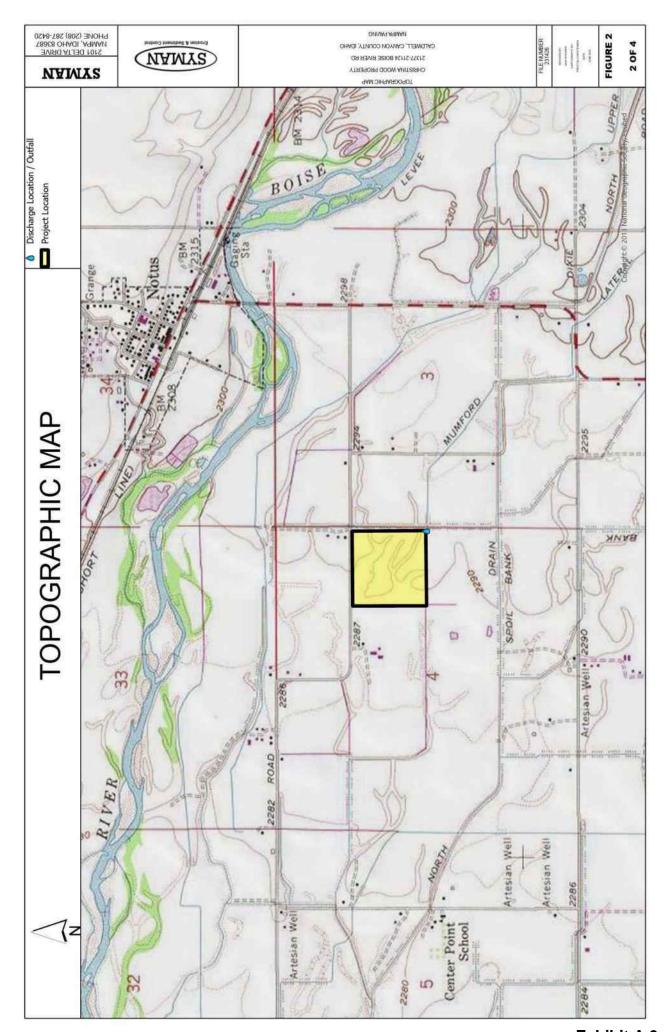


Exhibit A.9

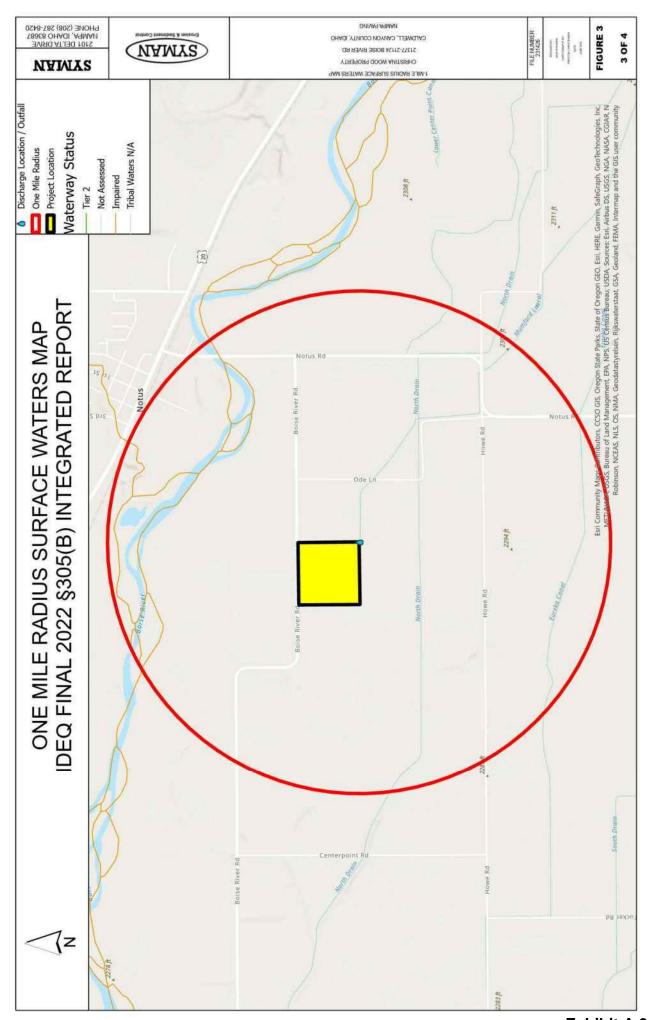


Exhibit A.9

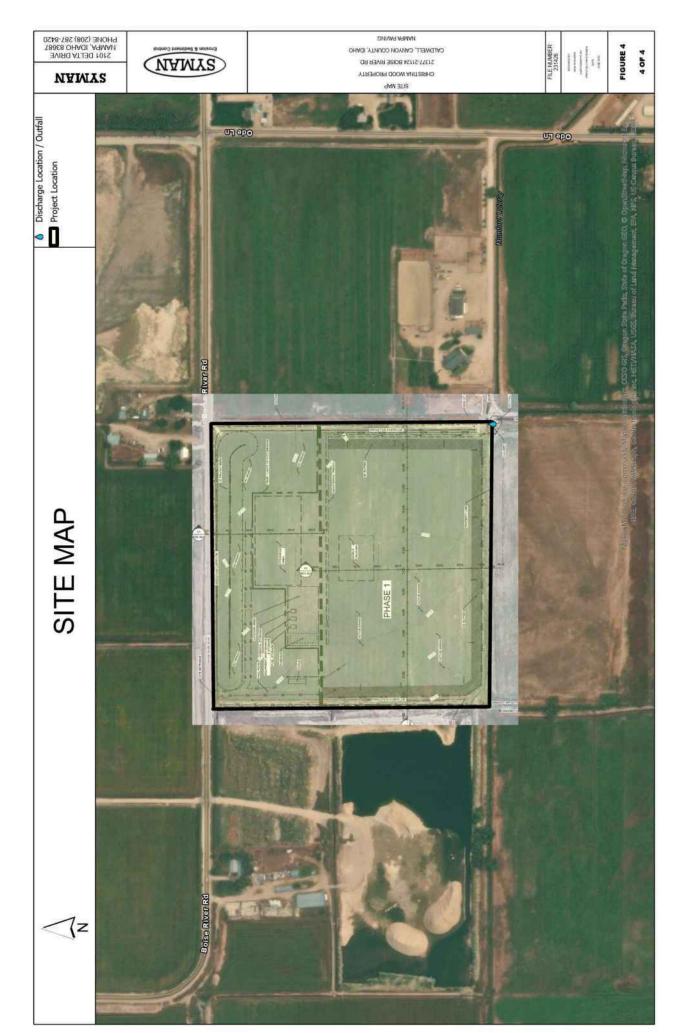


Exhibit A.9

SAWAN, LLC
S101 Delta Drive
Phone (208) 287-8420

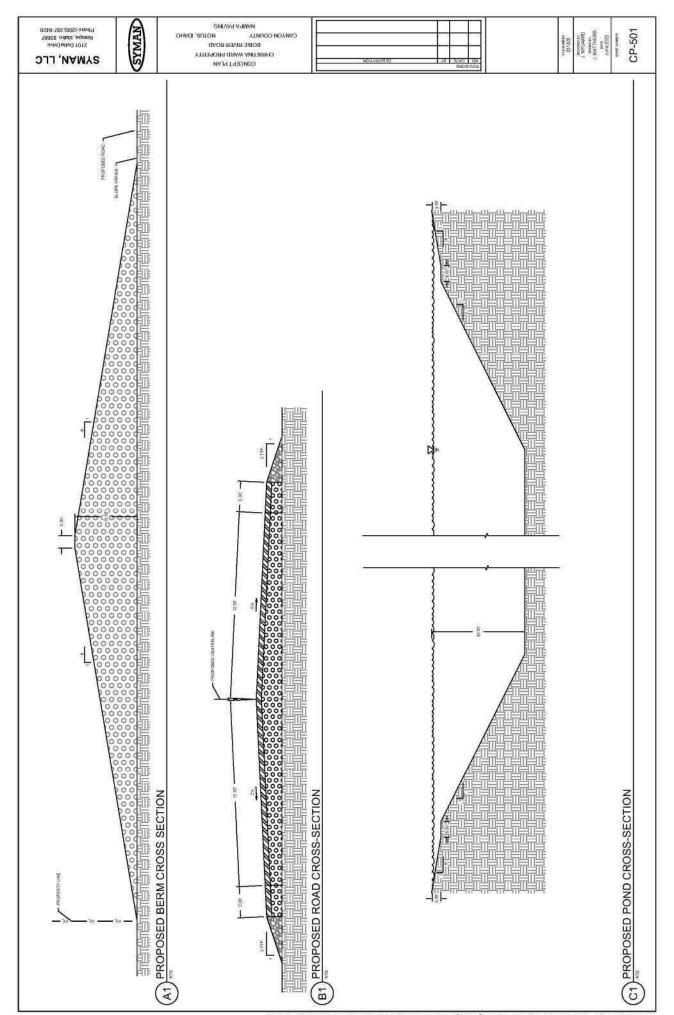
SYMAIN

CONCEPTPLAN
CHRISTINA WARD PROPERTY
BOISE RIVER ROAD
CANYON COUNTY NOTUS, IDAHO
MAMPA PAVING

NO CONE BL ESCOBLEGA

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LOT2 SET ACRES CONCEPT PLAN





Appendix B - 2021 MSGP



2021 Multi-Sector General Permit (MSGP)





Appendix C - Notice of Intent



Appendix D - Inspection Forms and Reports



Stormwater Industrial Routine Facility Inspection Report

General Information				
Facility Name	Christina Wood Property			
NPDES Tracking No.				
Date of Inspection	Start/End Time			
Inspector's Name(s)				
Inspector's Title(s)				
Inspector's Contact Information				
Inspector's Qualifications				
	Weather Information			
Weather at time of this inspection?				
☐ Clear ☐ Cloudy ☐ Rain	□ Sleet □ Fog □ Snow □ High Winds			
☐ Other:	Temperature:			
Have any previously unidentified discharges of pollutants occurred since the last inspection? ☐Yes ☐No				
If yes, describe:				
Are there any discharges occurring at the time of inspection? Yes No				
If yes, describe:				

Control Measures

- Number the structural stormwater control measures identified in your SWPPP on your site map and list them
 below (add as many control measures as are implemented on-site). Carry a copy of the numbered site map with
 you during your inspections. This list will ensure that you are inspecting all required control measures at your
 facility.
- Identify if maintenance or corrective action is needed.
 - If maintenance is needed, fill out section B of this template
 - If corrective action is needed, fill out section G of this template

	Structural Control Measure	Control Measure is Operating Effectively?	If No, In Need of Maintenance, Repair, or Replacement?	Maintenance or Corrective Action Needed and Notes
1	CLEARING LIMITS	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	



	Structural Control Measure	Control Measure is Operating Effectively?	If No, In Need of Maintenance, Repair, or Replacement?	Maintenance or Corrective Action Needed and Notes
2	SANITARY / SEPTIC WASTE MANAGEMENT	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
3	HAZARDOUS WASTE MANAGEMENT	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
4	VEHICLE FUELING AND MAINTENANCE	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
5	STREET SWEEPING	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
6	STOCKPILE MANAGEMENT	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
7	STAGING AREAS	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
8	SEEDING	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
9	DITCHES & SWALES	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
10	BERMS	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
11	PONDS	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
12	DUST CONTROL	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	
13	ELIMINATE TRACKING	□Yes □No	☐ Maintenance ☐ Repair ☐ Replacement	



Areas of Industrial Materials or Activities Exposed to Stormwater

Below are some general areas that should be assessed during routine inspections. Customize this list as needed for the specific types of industrial materials or activities at your facility that are potential pollutant sources. Identify if maintenance or corrective action is needed. If maintenance is needed, fill out section B of this template. If corrective action is needed, fill out section G of this template.

	Area/Activity	Inspected?	Controls Adequate (appropriate, effective and operating)?	Maintenance or Corrective Action Needed and Notes
1	Material loading/unloading and storage areas	□Yes □No □ N/A	□Yes □No	
2	Equipment operations and maintenance areas (Leaks or Spills)	□Yes □No □ N/A	□Yes □No	
3	Fueling areas	□Yes □No □ N/A	□Yes □No	
4	Outdoor vehicle and equipment washing areas	□Yes □No □ N/A	□Yes □No	
5	Waste handling and disposal areas. Residue or trash that could contact stormwater	□Yes □No □ N/A	□Yes □No	
6	Erodible areas/construction	□Yes □No □ N/A	□Yes □No	
7	Non-Authorized Non- stormwater/ illicit connections	□Yes □No □ N/A	□Yes □No	
8	Salt storage piles or pile containing salt	□Yes □No □ N/A	□Yes □No	
9	Dust generation and vehicle tracking	□Yes □No □ N/A	□Yes □No	



	Area/Activity	Inspected?	Controls Adequate (appropriate, effective and	Maintenance or Corrective Action Needed and Notes		
			operating)?			
10	Processing areas	□Yes □No □ N/A	□Yes □No			
11	Areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water	□Yes □No □ N/A	□Yes □No			
12	Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by- products used or created by the facility	□Yes □No □ N/A	□Yes □No			
13	(Other)	□Yes □No □ N/A	□Yes □No			
14	(Other)	□Yes □No □ N/A	□Yes □No			
		Disch	narge Points			
At discharge points, describe any evidence of, or the potential for, pollutants entering the stormwater drainage system. Also describe observations regarding the physical condition of and around all stormwater discharge points, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water. Identify if any corrective action is needed.						
Discharges/ Pollutants						
Describe any previously unidentified stormwater discharges from and/or pollutants:						



Non-Compliance

\$1/\$\text{\$\}}}}}}\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\exititt{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\texitit{\$\text{\$\texititt{\$\text{\$\text{\$\texitititt{\$\text{\$\text{\$\text{\$\text{\$\texititt{\$\text{
Describe any incidents of non-compliance observed and not described above:
Additional Control Measures
Malace education in the experience of the control o
Describe any additional control measures needed to comply with the permit requirements:
Notes
Use this space for any additional notes or observations from the inspection:
CERTIFICATION STATEMENT
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
Print name and title:
Signature:Date:



MSGP Quarterly Visual Assessment Form					
(Complete a separate form for each outfall you assess)					
Name of Facility: NPDES Tracking No. Christina Wood Property					
Outfall Name: "Substantially Identical Discharge Yes Point"? No					
Person(s)/Title(s) collecting sample:					
Person(s)/Title(s) examining sample:					
Date & Time Discharge Began: Date & Time Sample Collected: Date & Time Sample Examined:					
Substitute Sample? No Yes					
Nature of Discharge: Rainfall Snowmelt					
If rainfall: Rainfall Amount: _ Previous Storm Ended > 72 hours Yes No* Before Start of This Storm?					
Pollutants Observed					
Color None Other (describe):					
Odor None Musty Sewage Sulfur Sour Petroleum/Gas Solvents Other (describe):					
Clarity					
Floating Solids No Yes (describe):					
Settled Solids** No Yes (describe):					
Suspended Solids No Yes (describe):					
Foam (gently shake sample) No Yes (describe):					
Oil Sheen None Flecks Globs Sheen Slick Other (describe):					
Other Obvious Indicators No Yes (describe): of Stormwater Pollution					
* The 72-hour interval can be waived when the previous storm did not yield a measurable discharge or if you are able to document (attach applicable documentation) that less than a 72-hour interval is representative of local storm events during the sampling period.					
** Observe for settled solids after allowing the sample to sit for approximately one-half hour.					
Identify probably sources of any observed stormwater contamination. Also, include any additional comments, descriptions of pictures taken, and any corrective actions necessary below (attach additional sheets as necessary).					
Certification Statement (Refer to MSGP Subpart 11 Appendix B for Signatory Requirements)					
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.					
A. Name: B. Title:					
C. Signature: D. Date Signed:					



CONTROL MEASURE M	IAINTENANCE REPORT			
Control Measure:				
Regular Maintenance Activities:				
Regular Maintenance Schedule:				
Date of Maintenance Action:	Reason for Action: Regular Maintenance Discovery of Problem			
If action was the result of a problem, provide a descri				
measures were returned to full function, and a justific	cation for extended schedule if applicable:			
Notes:				
INDUSTRIAL EQUIPMENT AND S	YSTEMS MAINTENANCE REPORT			
Date of Maintenance Action:	Reason for Action: Regular Maintenance Discovery of Problem			
If action was the result of a problem, provide a description of the required maintenance, the date control measures were returned to full function, and a justification for extended schedule if applicable:				
Notes:				



Corrective Action Report Form – Field Version

Purpose

This Corrective Action Report Form is designed to assist you in preparing corrective action reports for EPA's 2021 Multi-Sector General Permit (MSGP). If you are covered under EPA's 2021 MSGP, this form will enable you to create a corrective action report that complies with the minimum reporting requirements of Part 5 of the permit.

You are only required to fill out this form if one of the corrective action triggering conditions in Part 6.1 occurs on your site. Routine maintenance and repairs are generally not considered to be a corrective action triggering condition. Corrective actions are triggered only for specific, more serious conditions that are identified below in the "Overview of Corrective Action Requirements."

If you are covered under a state MSGP, this form may be helpful in developing a report that can be used for that permit; however, it will need to be modified to meet the specific requirements of the permit. If your permitting authority requires you to use a specific corrective action report form, you should not use this form.

Notes:

While EPA has made every effort to ensure the accuracy of all instructions and guidance contained in the Corrective Action Report Form, the actual obligations of regulated construction activities are determined by the relevant provisions of the permit, not by the form. In the event of a conflict between the Corrective Action Report Form and any corresponding provision of the 2021 MSGP, you must abide by the requirements in the permit. EPA welcomes comments on the Corrective Action Report Form at any time and will consider those comments in any future revision of this document. You may contact EPA for MSGP-related inquiries at msgpesa@epa.gov.

Overview of Corrective Action Requirements

Construction operators covered under the 2021 MSGP are required to conduct corrective actions and report on progress made in correcting the problem condition(s) in accordance with the following requirements:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to a water of the U.S.) occurs at your facility.
- A discharge violates a numeric effluent limit.
- The control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits.
- A required control measure was never installed, was installed incorrectly, or not in accordance with the 2021 MSGP Parts 2 and/or 8, or is not being properly operated or maintained.
- Whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, and foam).
- If construction or a change in design, operation, or maintenance at this facility



significantly changes the nature of pollutants discharged in stormwater from the facility, or significantly increases the quantity of pollutants discharged, a thorough review of the selection, design, installation, and implementation of the control measures must be performed to determine if modifications are necessary to meet the effluent limits in this permit.

Deadlines for Completing Corrective Actions (Part 4)

You must complete corrective action (e.g., installing and making operational any new or modified control, correcting errors in installation, preventing, mitigating, or cleaning up spills or leaks making repairs) by no later than 14 calendar days from the time of discovery of the condition. If infeasible to complete the installation or repair within 14 calendar days, you must document why it is infeasible and document your schedule for completing the corrective action as soon as practicable.

Deadlines for Documenting Corrective Actions in a Report (Part 4)

You are required to complete a corrective action report for each of corrective action you take in accordance with the following deadlines.

- Within 24 hours of discovering the occurrence of a corrective action triggering condition, you must document the following:
 - The condition identified at your site;
 - The nature of the condition identified; and
 - The date and time of the condition identified and how it was identified
- Within 14 calendar days of discovering a triggering condition, you must document the following:
 - Any follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred;
 - A summary of stormwater controls modifications taken or to be taken, including a schedule of activities necessary to implement changes, and the date the modifications are completed or expected to be completed; and
 - Notice of whether SWPPP modifications are required as a result of the condition identified or corrective action.

Instructions for Using This Report Form

This Field Version of the Corrective Action Report Form is intended to be used in the field and filled out by hand.

The following tips for using this form will help you ensure that the minimum permit requirements are met:

- Review the corrective action requirements. Before you fill out this corrective action report
 form, read the MSGP's Part 5 corrective action requirements. This will ensure that you have a
 working understanding of the permit's underlying corrective action requirements.
- Complete a separate report for each condition that triggers corrective action. For each
 triggering condition on your site, you will need to fill out a separate corrective action report form.
- Complete all required text fields. Fill out <u>all</u> text fields. Only by filling out all fields will the form be compliant with the requirements of the permit. (Note: Where you do not need the number of rows provided in the corrective action report form, you leave those rows blank. Or, if you need more space to document your findings, you may add an additional sheet.)
- **Sign and certify each corrective action report.** Each corrective action report form must be signed and certified by the permittee to be considered complete. Where your corrective actions



- are carried out by a contractor or subcontractor, it is recommended that you also have the form signed and certified by the inspector, in addition to the signature and certification required of the permitted operator. The form includes a signature block for both parties.
- Include the corrective action report form with your SWPPP. Once your form is complete, make sure to include a copy of the corrective action report form in your SWPPP in accordance with Part 6.5 of the 2021 MSGP.
- Retain copies of all corrective action reports with your records. You must retain copies of
 your corrective action reports in your records in accordance with the requirements in Part 6.5 of
 the 2021 MSGP. These reports must be retained for at least 3 years from the date your permit
 coverage expires or is terminated.



Section A – Initial Report (Complete this section within 24 hours of discovering the condition that triggered corrective action)				
Name of	Christina Wood	CGP Trac		Today's Date
Project	Property			, a
Date Pro	blem First Discovered	5250	ime Problem First viscovered	
	d Contact Information of al Completing this Form			
	e conditions triggered the req An unauthorized release or authorized by this or another N	discharge (e.g., sp	II, leak, or discharge of nor	-stormwater not
[A discharge violates a num	eric effluent limit.		
[s	The control measures are natural transportant The control measures are not transport to the non-numeric e		for the discharge to meet a	pplicable water quality
[A required control measure he 2021 MSGP Parts 2 and/or		d, was installed incorrectly, roperly operated or maintai	
[Whenever a visual assessmolids, settled solids, suspended			.g., color, odor, floating
 If construction or a change in design, operation, or maintenance at this facility significantly changes the nature of pollutants discharged in stormwater from the facility, or significantly increases the quantity of pollutants discharged, a thorough review of the selection, design, installation, and implementation of the control measures must be performed to determine if modifications are necessary to meet the effluent limits in this permit. 				
Provide a	description of the problem:			
Deadline for completing corrective action (Enter date that is either: (1) no more than 14 calendar days after the date you discovered the problem, or (2) if it is infeasible to complete work within the first 14 days, enter the date that is as soon as practicable following the 14th day):				
Section B – Corrective Action Progress				
(Comp	olete this section no later that	an 14 calendar da corrective		ondition that triggered
Section B.1 – Why the Problem Occurred				
	of Problem		How This Was Determin	ned and the Date You
(Add an a	additional sheet if necessary)		Determined the Cause	
316			17	
2.			2.	
			ti-	



Section B.2 – Stormwater Contro	ol Modificatio	ns to be Implemented t	o Correct the Problem	
List of Stormwater Control Modification(s) Needed to Correct Problem (Add an additional sheet if necessary)	Date of Completion	SWPPP Update Necessary?	Notes	
1.		☐Yes ☐No If yes, provide date SWPPP modified:		
2.		Yes No If yes, provide date SWPPP modified:		
Soci	tion C Cort	ification and Signature		
Section C.1 – Certification and S	ignature by C	ontractor or Subcontr	actor	
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." Signature of Contractor or Subcontractor: Date: Printed Name and Affiliation:				
Section C.2 – Certification and S	ignature by P	егтиее		
"I certify under penalty of law that direction or supervision in accordant properly gathered and evaluated the persons who manage the system, on the information submitted is, to the am aware that there are significant of fine and imprisonment for know Signature of Permittee or "Duly Authorized Representative Date:	nce with a syst e information s those persons best of my kn penalties for s ing violations.	em designed to assure the submitted. Based on my s directly responsible for owledge and belief, true ubmitting false information	nat qualified personnel inquiry of the person or gathering the information, , accurate, and complete. I	
Printed Name and Affiliation:				



QUARTERLY BENCHMARK EXCEEDENCE REPORT Date:			
Pollutant Exceeded & Results:			
Quarter	Sample Date:	Result	
Quarter 1			
Quarter 2			
Quarter 3			
Quarter 4			
Average Result:			
Benchmark Value:			
D			
Document how benchmark exceedance(s) responded to:			
Corrective action review completed (ensure documentation is included in section G of this Template)			
☐ Finding that the exceedance was due to natural background pollutant levels			
Pol	llutant(s):		
Attach data and/or studies that tie the presence of the pollutant causing the exceedance in your discharge to natural background sources in the watershed.			
☐ Determination from EPA Regional Office that benchmark monitoring can be discontinued because the exceedance was due to run-on Pollutant(s):			
101	mutanus).		

EPA Industrial SWPPP Template, June 26, 2021

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Attach documentation from EPA Regional Office.

☐ Finding that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice.
Pollutant(s):
Attach documentation supporting this finding.



Appendix E – EPA Annual Reporting Form



Appendix E - EPA Annual Reporting Form

Per MSGP Section 7.1, all NOIs, NOTs, NOEs, annual reports, discharge monitoring reports, and other reporting information will be submitted electronically to the EPA's electronic NPDES eReporting tool (NeT).

Annual Reporting Forms will be filled out electronically, printed, and filed annually in Appendix E the SWPPP.



Appendix F – SWPPP Amendment Log



Appendix F - SWPPP Amendment Log

No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]
		2:	
<u> </u>		01	
		0	



Appendix G - Training Log



Stormwater Pollution Prevention Training Log

Pro	ject Name:	Christina Woo	d Property			
Pro	Project Location: 21377-21124 Boise River Rd., Caldwell, Idaho 83607					
Inst	Instructor's Name(s):					
Inst	Instructor's Title(s):					
Cours	Course Location: Date:					
Cours	Course Length (hours):					
Storn	Stormwater Training Topic: (check as appropriate)					
	Sediment and E Controls	rosion 🗆	Emergency Proceed	dures		
	Stabilization Co	ntrols 🗆	Inspections/Corre	ective Actions		
	Pollution Prever Measures	ntion				
Speci	fic Training Objec	tive:				
Attendee Roster: (attach additional pages as necessary)						

No.	Name of Attendee	Company	
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

EPA Industrial SWPPP Template, June 26, 2021



Appendix H – Endangered Species/Cultural Resources



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Idaho Fish And Wildlife Office 1387 South Vinnell Way, Suite 368 Boise, ID 83709-1657 Phone: (208) 378-5243 Fax: (208) 378-5262

In Reply Refer To: June 30, 2023

Project Code: 2023-0100042

Project Name: 231426-Christina Wood Property

Subject: List of threatened and endangered species that may occur in your proposed project

location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Idaho Fish And Wildlife Office 1387 South Vinnell Way, Suite 368 Boise, ID 83709-1657 (208) 378-5243

PROJECT SUMMARY

Project Code: 2023-0100042

Project Name: 231426-Christina Wood Property

Project Type: Stormwater Discharge

Project Description: The site is located south of Boise River Rd. between the properties of

21377 and 21124 Boise River Rd in Caldwell, Idaho. The access point will be located on the northwest corner of the property with the haul road running along the northern property boundary. Approximately half of the site will be utilized for the mining of gravel and aggregate and the remaining site area will be used as a staging and sorting area for the mined material. A 50-foot undisturbed buffer will separate the edge of the property from the active mining site and berms will be utilized to contain any potential stormwater within the active site.

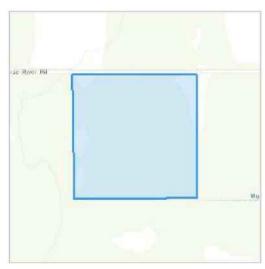
Currently, the site consists of open land with typical pasture vegetation.

No land disturbance has taken place yet. However, during site

preparation, activities such as grubbing and the development of perimeter berms will be undertaken. These measures aim to address the natural topography and retain stormwater onsite, allowing it to infiltrate into the ground. An active aggregate and gravel mining pit exists north of the property and a recently reclaimed mining pit lies to the east. Undeveloped agricultural land lies to the south, and to the east of the property, there is a residential home with agricultural land.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@43.7145421,-116.81519689262583,14z



Counties: Canyon County, Idaho

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an
office of the National Oceanic and Atmospheric Administration within the Department of
Commerce.

INSECTS

NAME STATUS

Monarch Butterfly Danaus plexippus

Candidate

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743

FLOWERING PLANTS

NAME

Slickspot Peppergrass Lepidium papilliferum

Threatened

Population:

There is final critical habitat for this species. Your location does not overlap the critical habitat.

Species profile: https://ecos.fws.gov/ecp/species/4027

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described <u>below</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American White Pelican pelecanus erythrorhynchos	Breeds Apr 1 to
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/6886	Aug 31
Bald Eagle Haliaeetus leucocephalus	Breeds Dec 1 to
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Aug 31

NAME	BREEDING SEASON
Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
California Gull <i>Larus californicus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 1 to Jul 31
Clark's Grebe <i>Aechmophorus clarkii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jun 1 to Aug 31
Franklin's Gull <i>Leucophaeus pipixcan</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Marbled Godwit Limosa fedoa This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds elsewhere
Rufous Hummingbird <i>selasphorus rufus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8002	Breeds Apr 15 to Jul 15
Western Grebe <i>aechmophorus occidentalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/6743	Breeds Jun 1 to Aug 31
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the

FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

- 1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
- 2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
- 3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (=)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (1)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

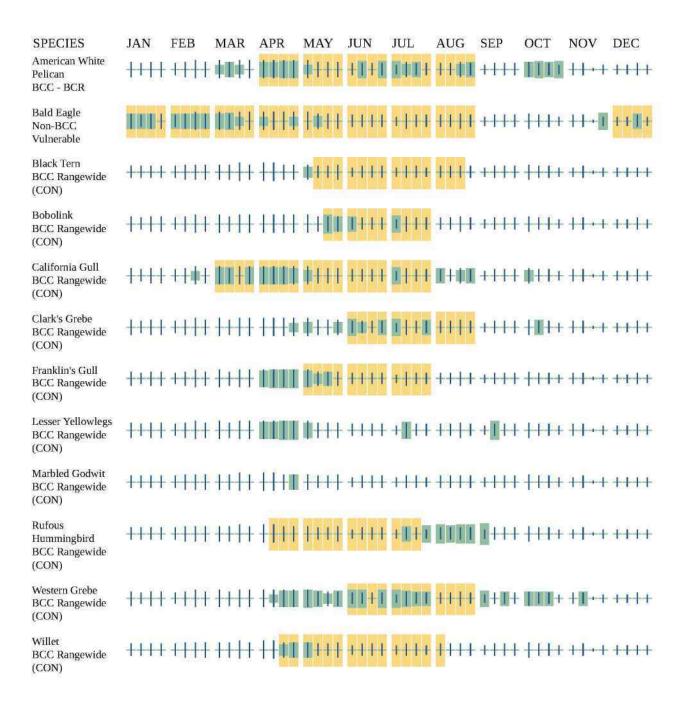
No Data (-)

A week is marked as having no data if there were no survey events for that week,

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

probability of presence breeding season survey effort — no data



Additional information can be found using the following links:

- Birds of Conservation Concern https://www.fws.gov/program/migratory-birds/species
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf

MIGRATORY BIRDS FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern</u> (<u>BCC</u>) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (<u>Eagle Act</u> requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the <u>Avian Knowledge Network (AKN)</u>. This data is derived from a growing collection of <u>survey</u>, <u>banding</u>, and <u>citizen science datasets</u>.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the <u>RAIL Tool</u> and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point

within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

- "BCC Rangewide" birds are <u>Birds of Conservation Concern</u> (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
- "BCC BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
- 3. "Non-BCC Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the <u>Eagle Act</u> requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the <u>Diving Bird Study</u> and the <u>nanotag studies</u> or contact <u>Caleb Spiegel</u> or <u>Pam Loring</u>.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to <u>obtain a permit</u> to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no

data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

R5UBFx

IPAC USER CONTACT INFORMATION

Agency: Syman, LLC
Name: Adam Lyman
Address: 2101 Delta Dr.

City: Nampa State: ID Zip: 83687

Email designdepartment@symancompany.com

Phone: 2082878420

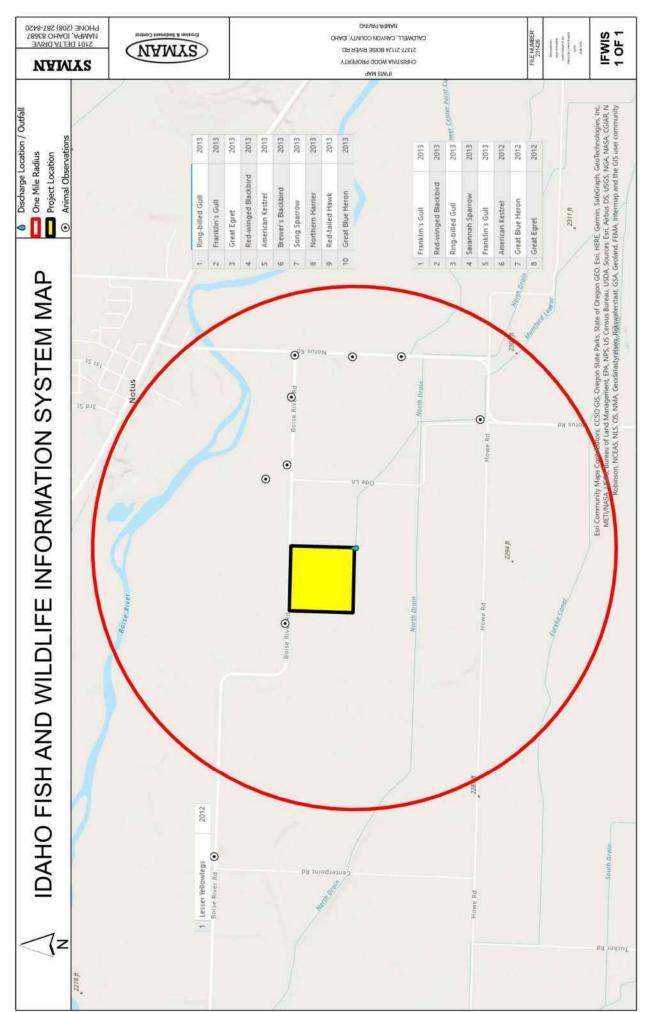


Exhibit A.9



Appendix I – Environmental/Historical Documents



Appendix J - Additional MSGP Documentation



Deviations from Assessment or Monitoring Schedule

Reason for Deviation							
Description of Deviation from Schedule							
Activity	☐ Visual assessments☐ Monitoring	☐ Visual assessments ☐ Monitoring	□ Visual assessments□ Monitoring	☐ Visual assessments ☐ Monitoring			
Date							

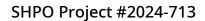
EPA Industrial SWPPP Template, June 26, 2021

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Active/Inactive Status Change

Date	New Facility Status	Reason for Change in Status
	☐ Inactive and Unstaffed☐ Active	
	☐ Inactive and Unstaffed☐ Active	
	☐ Inactive and Unstaffed☐ Active	
	☐ Inactive and Unstaffed☐ Active	
	☐ Inactive and Unstaffed ☐ Active	
	☐ Inactive and Unstaffed ☐ Active	
	☐ Inactive and Unstaffed ☐ Active	
	☐ Inactive and Unstaffed ☐ Active	
	☐ Inactive and Unstaffed ☐ Active	
	☐ Inactive and Unstaffed ☐ Active	
	☐ Inactive and Unstaffed☐ Active	
	☐ Inactive and Unstaffed ☐ Active	
	☐ Inactive and Unstaffed☐ Active	
	☐ Inactive and Unstaffed ☐ Active	
	☐ Inactive and Unstaffed ☐ Active	





SHPO Consultation Summary

Any questions please email: shpo@ishs.idaho.gov

Section 1: Project Information	on			
Organization Project No(s):	Project Name:			
ID-24-004	Wood Mining			
Lead Federal Agency: Other S	State Agency			
Project Type:	☑ Federal - Section 106	☐ Federal - Section 110)	
	☐ CLG Survey	☐ Determination of Eli	gibility	
Programmatic Agreement Ap	oplied:			
Section 2: Lead Agency Revie	ewer(s)			
No Lead Agency Reviewers				
Section 3: Additional Organi	zations			
Agency: Environmental Protection Agency (EPA) Name:				
Section 4: Project Descriptio	n			
This project involves converti	ing one agricultural parcel in	nto a gravel mining operat	ion.	
Section 5: Final Determination	on(s) of Eligibility for Listin	g in the National Register	r of Historic	
Places		_		
SHPO Count of Resources				
No Resources				
Smithsonian Number(s)	Property Type/Name	Name SHPO Determination		
No Resources				
SHPO Comments:				



SHPO Consultation Summary

Any questions please email: shpo@ishs.idaho.gov

Section 6: Agency Finding of Effect
□ No Historic Properties Affected [36 CFR § 800.4(d)(1)]
☑ No Adverse Affect [36 CFR § 800.5(d)(1)]
☐ Adverse Affect [36 CFR § 800.5(d)(2)]
Agency Comments/Summary:
Section 7: Official SHPO Response
The Idaho SHPO has reviewed the documentation and recommendations provided by Other State Agency:
Project Finding of Effect:
☑ We concur with the finding of effect of No Adverse Effect and with the conditions of compliance (if applicable).
☐ We concur with the finding of effect of No Adverse Effect, given stipulations explained below.
☐ We disagree with the finding of effect of No Adverse Effect, as explained below or in the attached letter.
□ No Comment
Tricia Canaday Date 06/10/2024
Deputy State Historic Preservation Officer
SHPO Comments:

ZAMPA PAVING



40 Acre Gravel Operation

Conditional Use Permit

Longlime Canyon County Family Business







 Smaller Operation in Area with many Historic and Current Gravel **Operations**

Critical Resource – located where nature puts it – Rural Area

Multiple Suppliers – Benefit of Competition



Long Time Gravel Operations

Character of the Area/ Compatibility

Resource located here

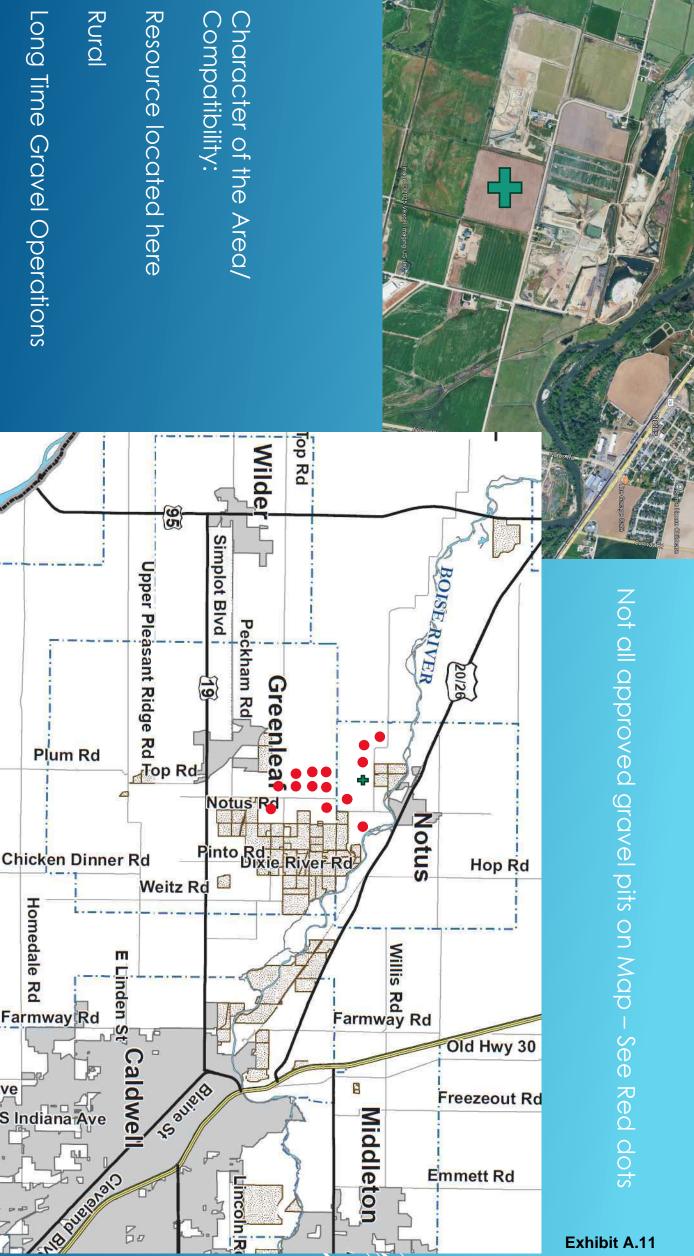
Rural

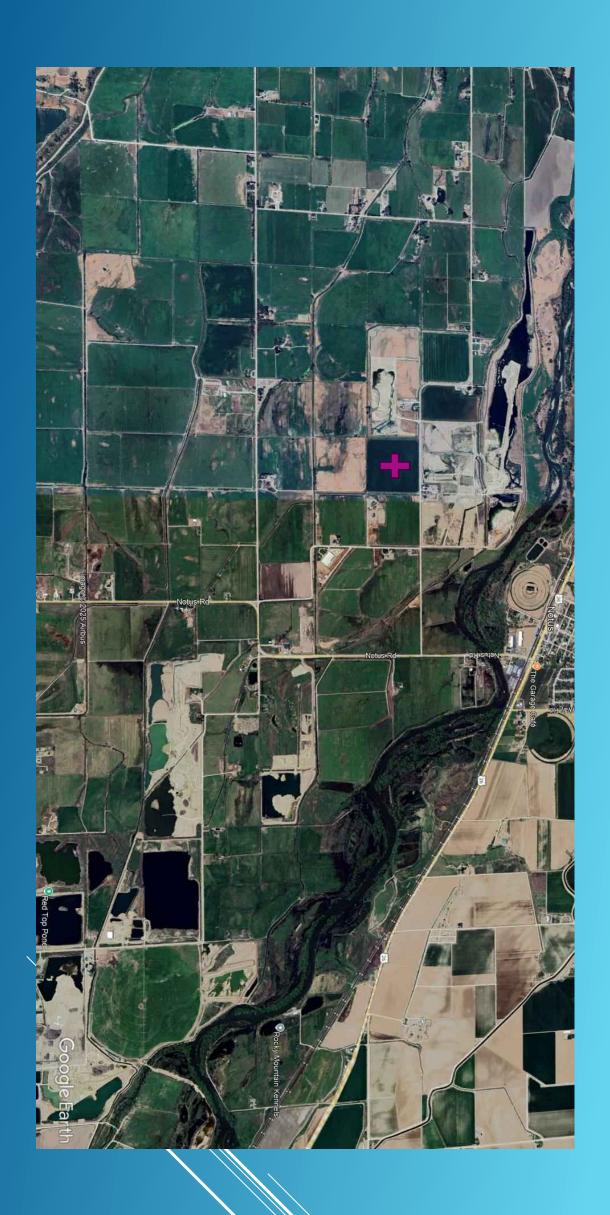
Plum Rd

Homedale Rd

ve S Indiana

Farmway Rd







Poorer Ag Soils – Gravel Corridor BOISE RIVER RD BOISE RIVER Greenleaf RD **IVERSO** RED TOP RD Notus PURPLE SAGE RD STAFFOR WILLIS RD ELTON LN MINK RD BEST-SUITED / CLASS LEAST-SUITED / CLASS VIII MODERATELY-SUITED / CLASS IV BEST-SUITED / CLASS II LEAST-SUITED / CLASS VII LEAST-SUITED / CLASS VI LEAST-SUITED / CLASS V MODERATELY-SUITED / CLASS III **Exhibit A.11**

COMPREHENSIVE PLAN CONFORMANCE

Natural Resources

- G5.03.00: Support the conservation of productive mineral lands and discourage incompatible uses upon the adjacent lands to these lands
- P5.03.01: Sand and gravel mining operations should be located to avoid adverse impacts to the river channel and promote compatibility with adjacent uses

Economic Development

- G3.01.00: Support suitable sites for economic growth and expansion compatible with the surrounding area
- P3.01.02: Support suitable sites for economic growth and expansion compatible with the surrounding area

Land Use Community Design

G4.03.00: Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant

COMPREHENSIVE PLAN SUPPORT

Property Rights

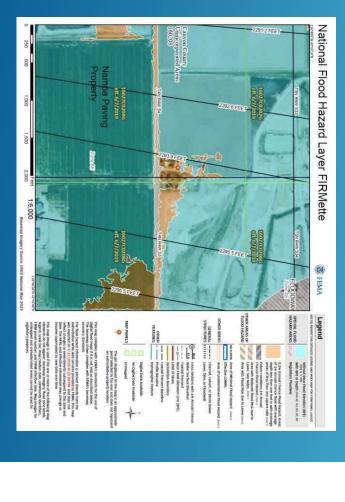
 G1.02.00: Acknowledge the responsibilities of each property owner as a steward of the generation without becoming a nuisance land to use their property wisely, maintain it in good condition and preserve it for future

Population

 G02.02.00: Promote housing, business and service types needed to meet demand of future and existing population

Flood Plain not Floodway

- Floodplain development permit issued by County
- No net rise certificate by our Engineer



ENGINEERING "NO-RISE" CERTIFICATION

This is to certify that I am a duly qualified engineer licensed to practice in the State of daho

It is to further certify that the attached technical data supports the fact that proposed Christina Wood Mineral Extraction Project will

in the Flood Insurance Study for Carryon County, Idaho (Unincorporated Areas)

and will not impact the 100-year flood elevations, floodway elevations, and floodway widths at unpublished cross-sections in the vicinity of the proposed development.

Attached are the following documents that support my findings:

(Signature) For Many (Date) 5/14/2025 2976 E State St.

(Title)

Principal - Manning Civil, LLC

Eagle, ID 83616 Ste 120-435 (Address)

October 2013

FLOOD CONTROL DISTRICT #11

215 E. Main St

Parma, ID 83660

(208) 722-2014

To Whom it May Concern

Manning Civil, dated May 13, 2025 for the project known as the "Christina Wood Pit". This letter is to confirm FCD #11's acceptance of the proposed flood mitigation plan created by

take place in a 100-year flood event. Manning's plan includes a No-Rise Certification for the project to show no adverse effect would

Signed by Commissioner:



Exhibit A.11

AGENCY/ENVIRONMENTAL ITEMS

SWPP Required/Approved

Deals with run off

Groundwater pollution prevention

Crusher – DEQ permit Air Quality

*

*

- Silicosis A potential employee issue not neighbor issue
- MSHA standards also recently updated and applicable
- Rec Plan required/approved

*



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

To whom it may concern

This correspondence is notification that the following reclamation plan was approved on 10/18/2023:

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.
- 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
- Diverting all surface water flows around the mining operation.
 Removing and stockpiling vegetation and slash, except merchantable timber, for use in
- c. Removing and stockpiling all topsoil or suitable plant growth material for use in
- 4. An initial reclamation bond in the amount of \$55,250,00 for up to 31,75 acres of disturbance will be submitted to and maintained with the idaho Department of Lands prior to conducting aurises mining operations.



BOISE RIVER ROAD

Minor Arterial: Planned for higher use than collectors and local roads. Interconnect Principal Arterials. Designed to distribute trips while allowing more access than on Principal Arterials.

Low volume and high LOS – Hwy District no TIS required

Doing core sample Boise River Road – determine if additional overlay needed

CONDITIONS OF APPROVAL

QUESTIONS?



shall consider the following: When making a decision for a conditional use permit for the use, the decision making body

proposed application with such uses; (A) The uses of the surrounding properties in the determination of the compatibility of the

(B) Duration of the proposed use;

(C) Setbacks from surrounding uses;

(D) Reclamation plan as approved by Idaho Department of Lands;

(E) The locations of all proposed pits and any accessory uses; and

(F) Recommendations from applicable government agencies.

- Is the proposed use permitted in the zone by conditional use permit;
- (2) What is the nature of the request;
- Is the proposed use consistent with the comprehensive plan;
- (4) Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area;
- (5) Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use;
- (6) Does legal access to the subject property for the development exist or will it exist at the time of development
- (7) Will there be undue interference with existing or future traffic patterns; and
- by the requested use? (Ord. 16-001, 1-8-2016) be negatively impacted by such use or require additional public funding in order to meet the needs created facilities, police and fire protection, emergency medical services, irrigation facilities, and wil∕≀the services (8) Will essential services be provided to accommodate the use including, but not limited to school

EXHIBIT B Supplemental Documents

CANYON COUNTY DEVELOPMENT SERVICES MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THIS PARCEL INFORMATION TOOL.

R35953010 PARCEL INFORMATION REPORT 5/20/2025 3:25:22 PM

PARCEL NUMBER: R35953010

OWNER NAME: FLENNIKEN CHRISTIE J 2003 REVOCABLE TRUST

CO-OWNER:

MAILING ADDRESS: 23517 ODE LN CALDWELL ID 83607

SITE ADDRESS: 0 BOISE RIVER RD

TAX CODE: 1360000

TWP: 4N RNG: 4W SEC: 04 QUARTER: NE

ACRES: 39.92

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 \ EUREKA DITCH CO NO 2

FEMA FLOOD ZONE: AE \ X \ X FLOODWAY: NOT IN FLOODWAY FIRM PANEL:

16027C0204F

WETLAND: Riverine

NITRATE PRIORITY: NO Nitrate Prio

FUNCTIONAL Classification: COLLECTOR

INSTRUMENT NO.: 200576484

SCENIC BYWAY: NOT In Scenic Byway

LEGAL DESCRIPTION: 04-4N-4W NE TX 05891 IN SENE

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:

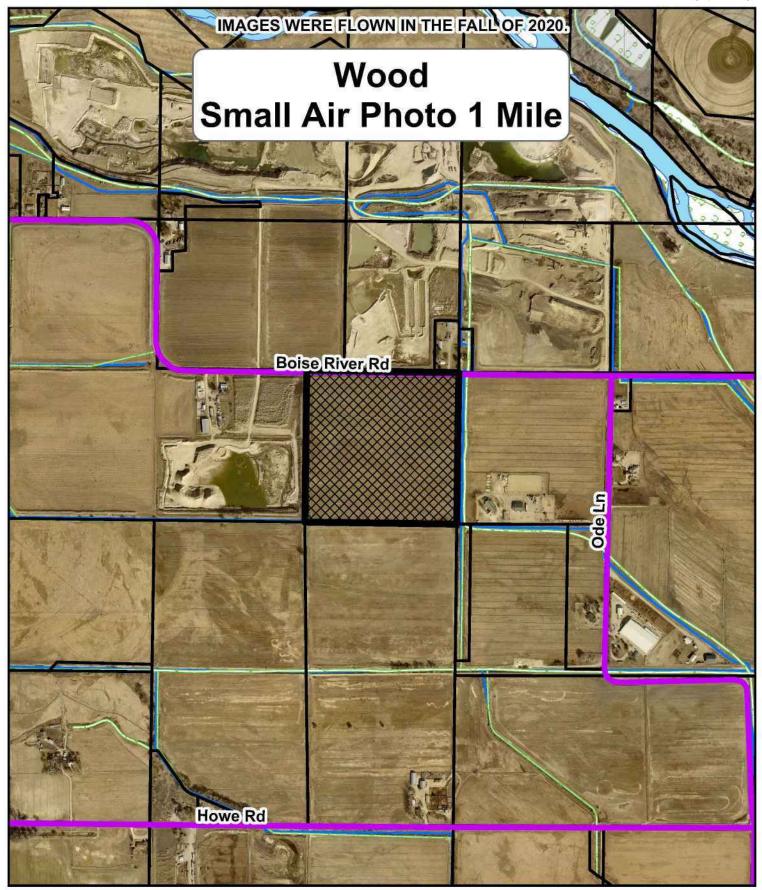
1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.

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 SHERRIFS 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.







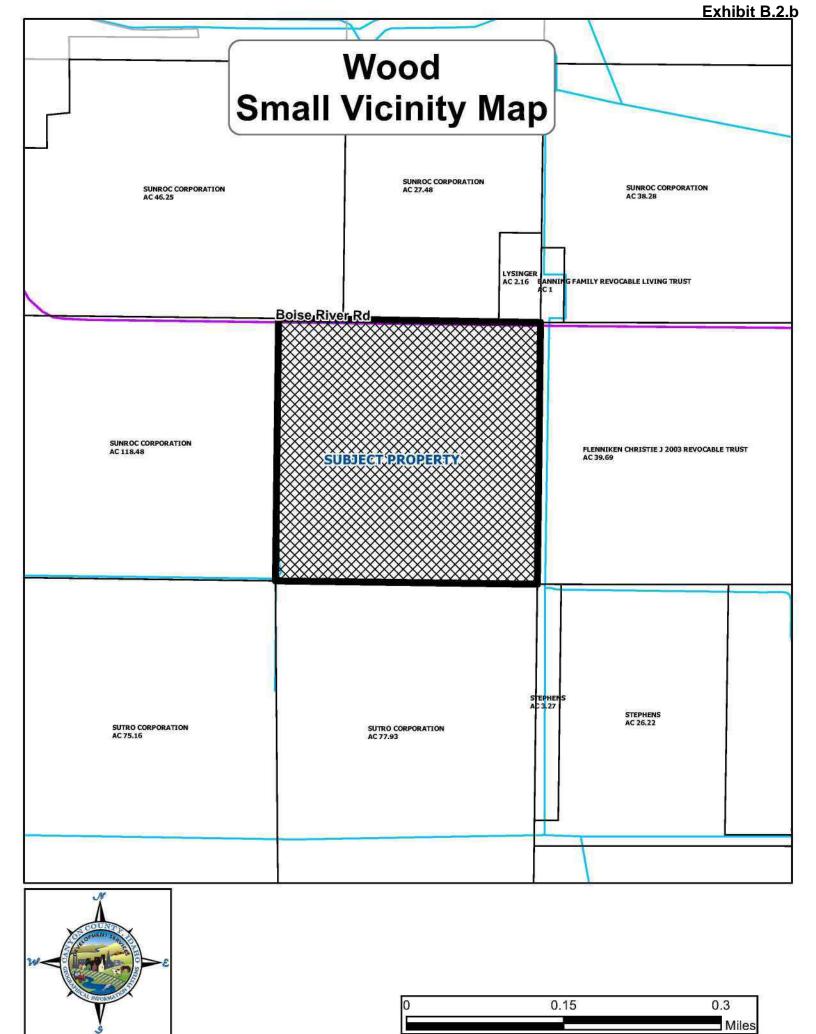
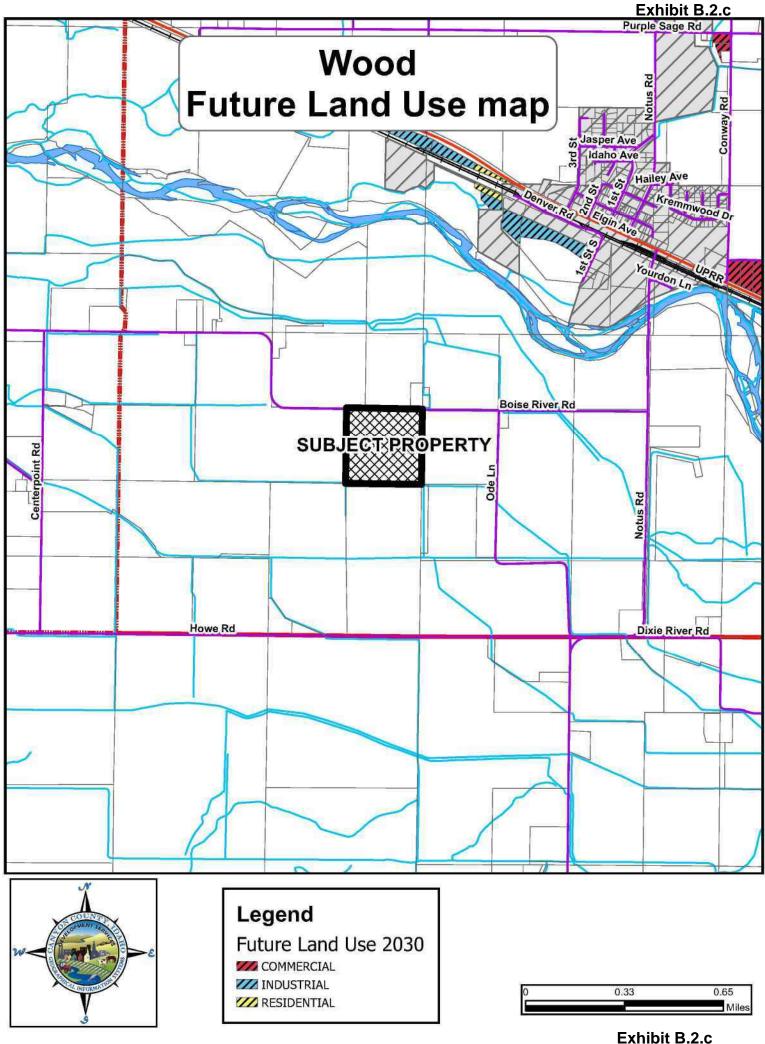
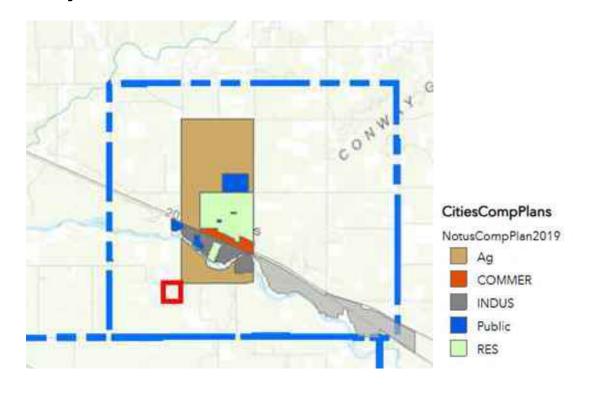
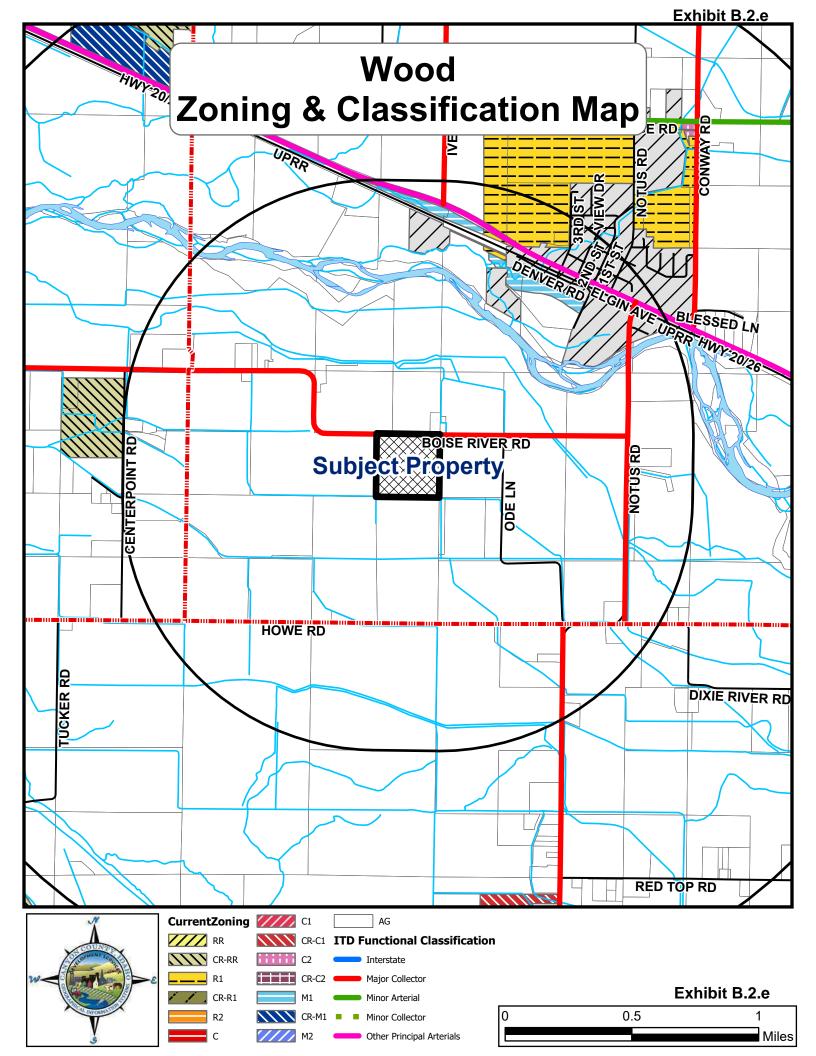


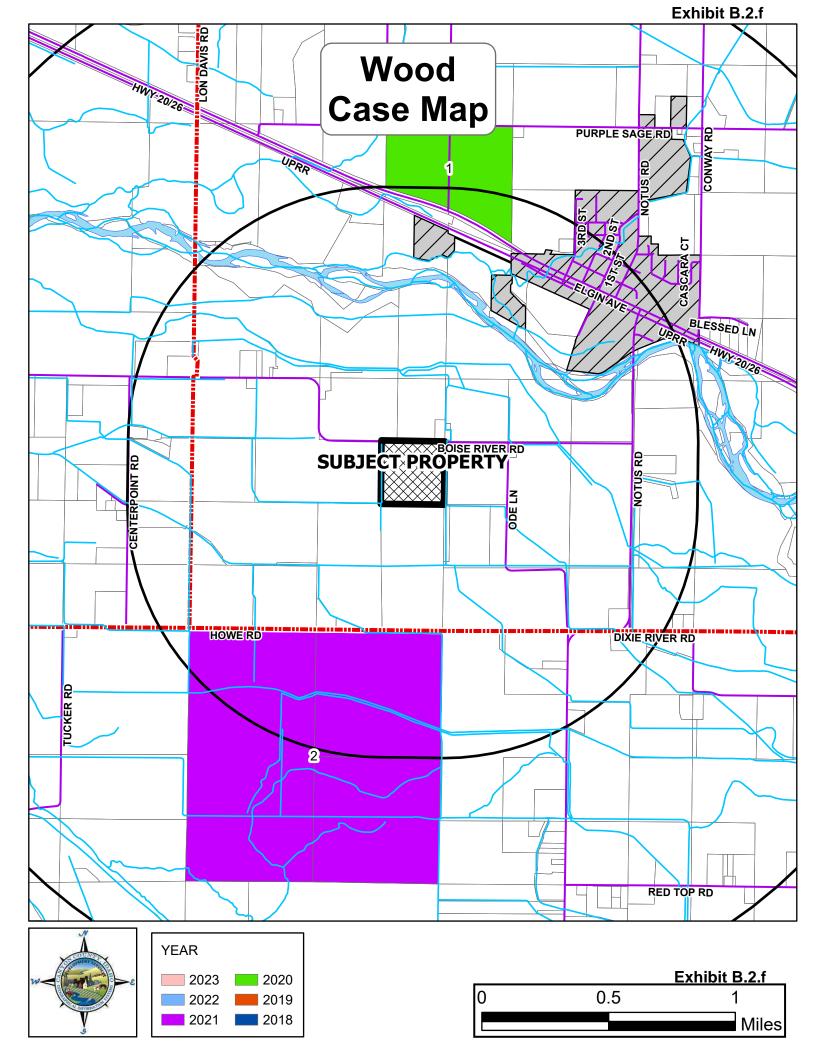
Exhibit B.2.b



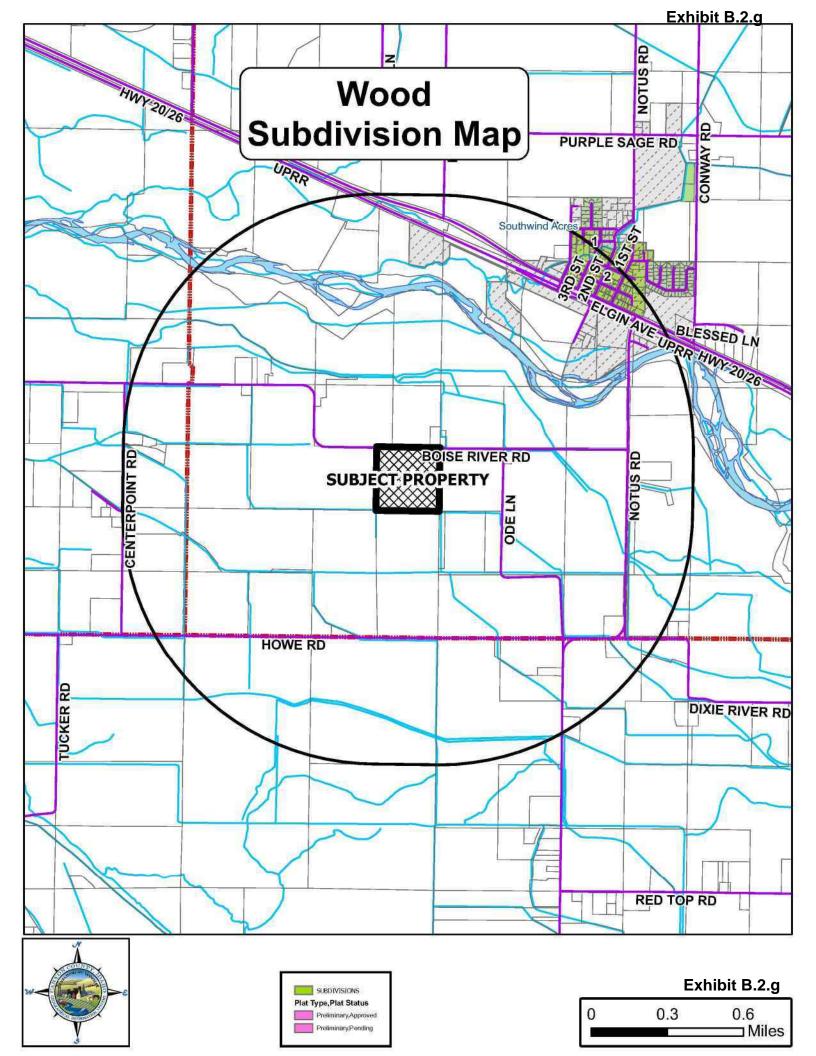
Wood City of Notus Future Land Use







		CASE SUMMA	ARY	
CA	SENUM	REQUEST	CASENAME	FINALDECIS
CO	2020-0003	CUP - Telecommunications co-location Facility	Maverick Towers	APPROVED
CUS	2020-0005	CUP Mineral Extraction	Idaho Materials & Construction	APPROVED

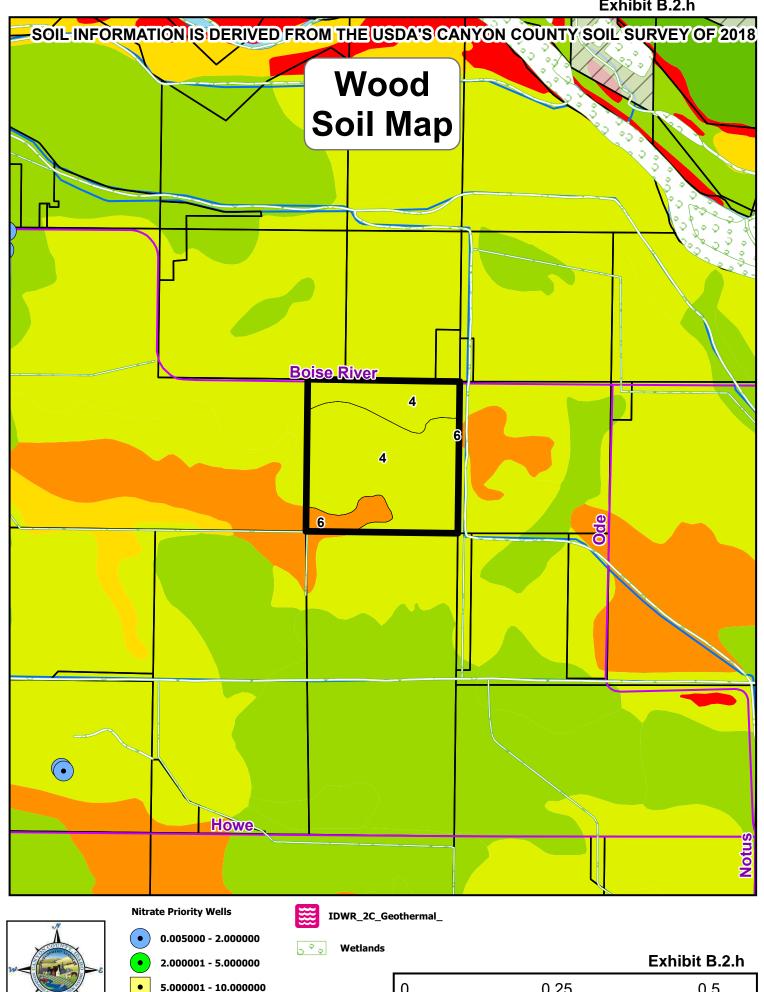


SUBDIVISION & LOT REPORT	SUB NUMBER OF LOTS AVERAC	48.05 119 0.40	ACRES IN SUB NUMBER OF LOTS AVERAGE LOT SIZE	0 0 0	AVERAGE MEDIAN MINIMUM MAXIMUM MAXIMUM	38.92 38.28 1.00 118.48	ACRES IN MHP NUMBER OF SITES AVG HOMES PER ACRE MAXIMUM	
	ACRES IN SUB	48.05	ACRES IN SUB	0	AVERAGE	38.92	ACRES IN MHP	0
	NUMBER OF SUBS	2	NUMBER OF SUBS IN PLATTING	0	NUMBER OF LOTS NOTIFIED	13	NUMBER OF MOBILE HOME PARKS	0

			בה מספחו	CNICIOINA			
NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF	Year
OCHRAN ADD		5N4W34	6.35	14	0.45	NOTUS	1957
IOTUS ORIGINAL	2	5N4W34	41.70	105	0.40	NOTUS	1904

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

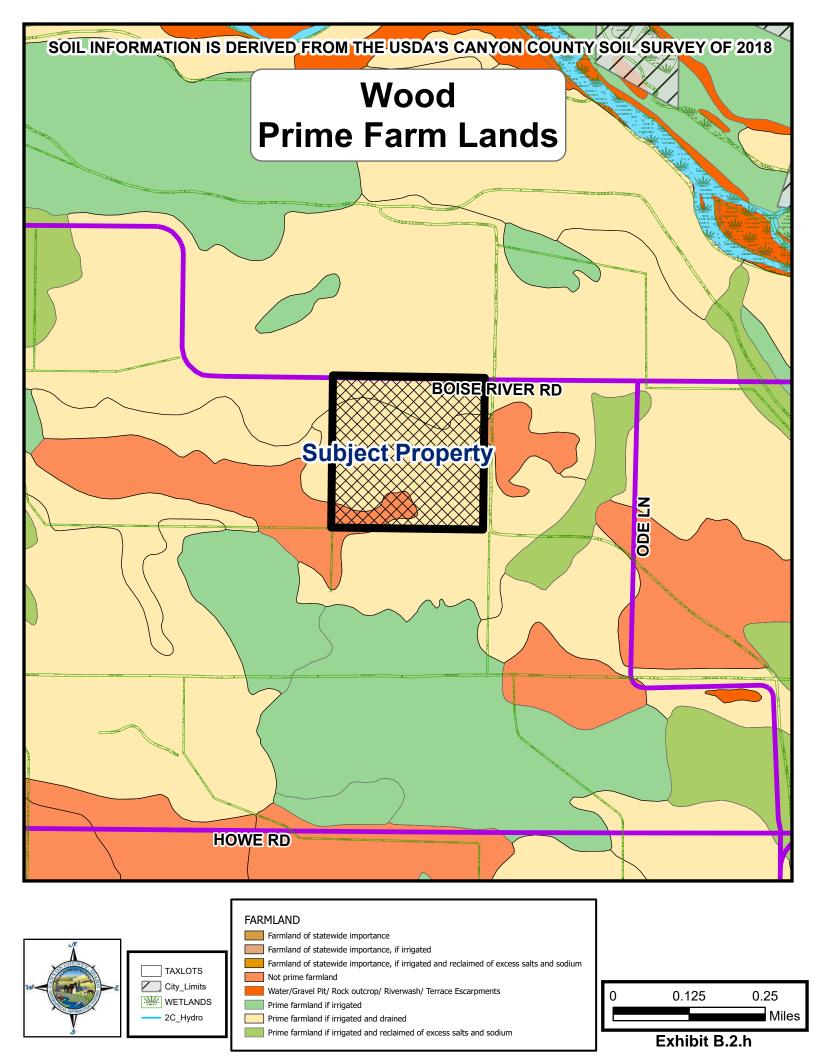
	CITY OF
	UNITS PER ACRE
RV PARKS	NO. OF SPACES
HOME &	ACRES
MOBILE	SITE ADDRESS
	SUBDIVISION NAME





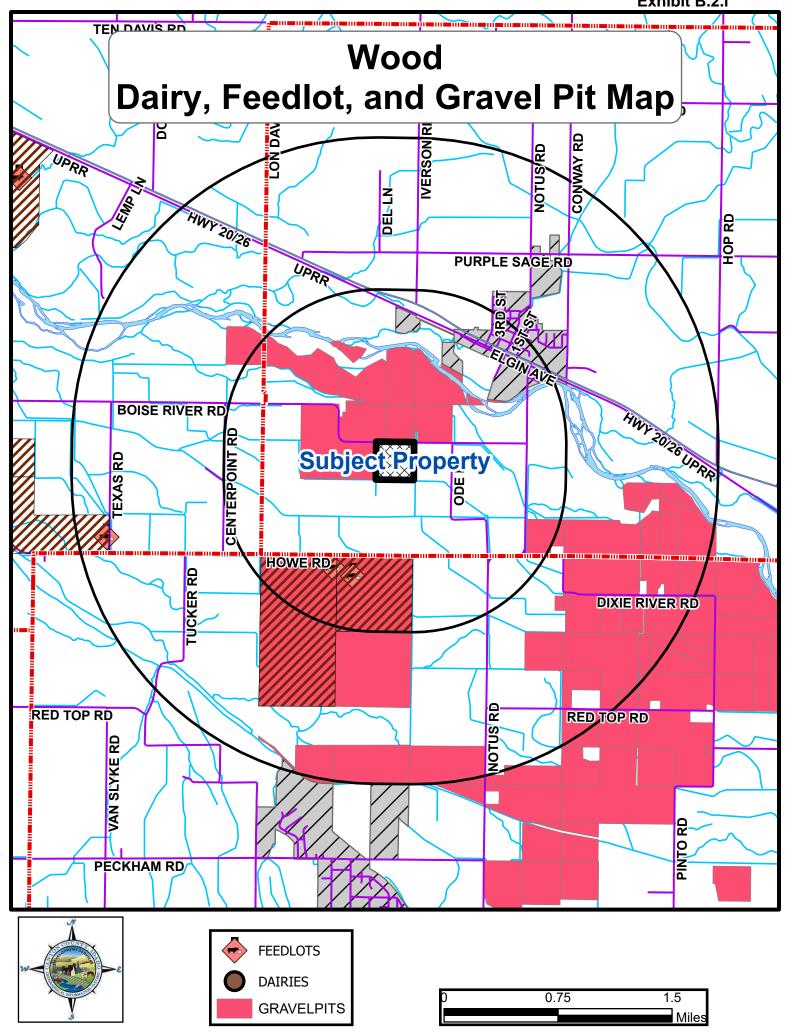
10.000001 - 49.800000

0.25 0.5 ■ Miles



	Y OF 2018	CANYON COUNTY SOIL SURVE	SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018	
100%	39.92	1738958.76		
68.80%	27.47	1196375.40	Prime farmland if irrigated and drained	MuA
0.25%	0.10	4268.88	Not prime farmland	LtA
8.07%	3.22	140263.20	Not prime farmland	LtA
22.89%	9.14	398051.28	Prime farmland if irrigated and drained	MwA
PERCENTAGE	ACREAGE	SQUARE FOOTAGE	FARMLAND TYPE	SOIL NAME
		REPORT	FARMLAND REPORT	
100%	39.92	1738958.76		
68.80%	27.47	1196375.40	MODERATELY SUITED SOIL	4
0.25%	0.10	4268.88	LEAST SUITED SOIL	6
8.07%	3.22	140263.20	LEAST SUITED SOIL	6
22.89%	9.14	398051.28	MODERATELY SUITED SOIL	4
PERCENTAGE	ACREAGE	SQUARE FOOTAGE	SOIL CAPABILITY	SOIL CAPABILITY CLASS
		ORT		

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





BEFORE THE CANYON COUNTY PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FOR A CONDITIONAL USE PERMIT)	PARCEL #'S R: 35951, 35952, 35953, 38540 38546-010A, 38548-010, 38550-010, 38550-011
LOW'S READY MIX, INC.)	CASE# CU2006-180
IN THE MATTER OF AN APPLICATION BY:)	

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 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 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 1/4 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

Low's Ready Mix, Inc., Case # CU2006-180
Findings of Fact, Conclusions of Law and Order
August 30 and September 6, 2007
Page 1 of 16

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 Wenicke, 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.

Low's Ready Mix, Inc., Case # CU2006-180 Findings of Fact, Conclusions of Law and Order August 30 and September 6, 2007 Page 2 of 16

- 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 reseedings 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 breech 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

Low's Ready Mix, Inc., Case # CU2006-180 Findings of Fact, Conclusions of Law and Order August 30 and September 6, 2007 Page 6 of 16

- 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 recrush 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

Low's Ready Mix, Inc., Case # CU2006-180 Findings of Fact, Conclusions of Law and Order August 30 and September 6, 2007 Page 8 of 16 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:

Low's Ready Mix, Inc., Case # CU2006-180 Findings of Fact, Conclusions of Law and Order August 30 and September 6, 2007 Page 10 of 16

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.

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

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 <u>Conditional Use Permit</u> 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
 Southwest District Health Department
 Golden Gate Highway District
 Caldwell Fire District
 Canyon County Weed & Gopher Control
 Exhibit C.5
 Exhibit C.5

- 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.

Low's Ready Mix, Inc., Case # CU2006-180 Findings of Fact, Conclusions of Law and Order August 30 and September 6, 2007 Page 12 of 16

- 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.

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 EPTEMBER 20, 2007.

Tim Hetrick

Planning and Zoning Commission Chairman

9-20-07

Dated

ATTEST:

Jill Hewson

Recording Secretary

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



GEORGE B. BACON, DIRECTOR EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

C.L. "Butch" Otter, Governor Ben Ysursa, Secretary of State Lawrence G. Wasden, Attorney General Donna M. Jones, State Controller Tom Luna, Sup't of Public Instruction

July 3, 2007

Canyon County
Development Services Department
Leon Jensen, Director
1115 Albany Street
Caldwell, Idaho 83605

RE: Town Ranch, L.L.P. - Request for a Disclaimer of Interest from the State of Idaho

Dear Mr. Jensen,

Idaho Department of Lands (IDL) has received a request for a disclaimer of interest from Town Ranch L.L.P. for properties located south of the Boise River and west of Notus, Idaho. The specific location of the requested disclaimer is parts of Section 33, Township 5 North, Range 4 West and Section 32, Township 5 North and Range 4 West, B.M., Canyon County, Idaho.

At this time, the disclaimer package is complete and it is being reviewed by IDL representatives. Once the review is finished, it will be sent to the Land Board with IDL's recommendation to approve the disclaimer. However, final approval is a Land Board decision which will most likely take place at its August 14, 2007 meeting.

If you have any questions concerning this disclaimer of interest, please call me at (208) 334-3488.

Sincerely,

Rebecca Beavers

Sr. Lands Resource Specialist

Cc: Eric Wilson, IDL

CANYON COUNTY DEVELOPMENT SERVICES SOUTHWEST SUPERVISORY AREA 8355 West State Street Boise ID 83714 Phone (208) 334-3488 Fax (208) 853-6372



GEORGE B. BACON, DIRECTOR EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

C.L. "Butch" Otter, Governor Ben Ysursa, Secretary of State Lawrence G. Wasden, Attorney General Donna M. Jones, State Controller Tom Luna, Sup't of Public Instruction

July 13, 2007

Canyon County
Development Services Department
Leon Jensen, Director
1115 Albany Street
Caldwell, Idaho 83605

RE: Town Ranch, L.L.P. - Request for a Disclaimer of Interest from the State of Idaho

Dear Mr. Jensen,

Idaho Department of Lands (IDL) is working with Town Ranch L.L.P. on a disclaimer of interest from Town Ranch L.L.P. for properties located south of the Boise River and west of Notus, Idaho. The specific location of the requested disclaimer is parts of Section 34, Township 5 North, Range 4 West, B.M., Canyon County, Idaho.

At this time, we have met with Dave Cockrum of Geodyssey who is representing Town Ranch L.L.P. We have set up an appointment for later this month to meet with a surveyor and determine the ordinary high water mark along the above mentioned portions of section 34. Once that is completed and the survey is finished, a disclaimer request will be sent to IDL for review and approval of a disclaimer of interest.

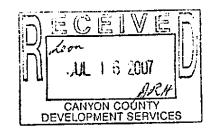
If you have any questions concerning this disclaimer or the process, please call me at (208) 334-3488.

Sincerely,

Rebecca Beavers

Sr. Lands Resource Specialist

Cc: Eric Wilson, IDL





Southwest District Health Agency Response

Environmental Health Services 920 Main Street Caldwell, ID 83605 208,455,5400 FAX 208,455,5405

Exhibit B.3.a

Low's Ready Mix, Inc. / CU2006-180Jeff Reding CR2003-1

	Low a ready with, men control reading circloss i
	☐ Technical Review X CUP ☐ Rezone ☐ Preliminary Plat ☐ Final Plat ☐ Short Plat
So in co pli ap pr	buthwest District Health (SWDH) strongly recommends the applicant contact SWDH as soon as possible in the process to obtain formation on receiving approval for Health District requirements. Obtaining information regarding SWDH requirements prior to anditional approval will aid the applicant throughout the process. SWDH requires a pre-development meeting for subdivisions and anned unit developments prior to engineering/application being submitted to this office. SWDH recommends that the applicant receive approval for sewer and water prior to obtaining preliminary plat approval, as SWDH requirements may change the dynamics of the applicant of lots, location, etc.). SWDH will require an approved Subdivision Engineering Report (SER) prior to lifting sanitary strictions. In general, Southwest Idaho has many areas with elevated levels of nitrate, arsenic, etc., in groundwater. Due to this issue, WDH is a strong proponent for the use of public water systems. SWDH requests that the applicant receive a copy of this agency response
Specif	ic Comments: 1. SWDH has met with the applicant in a pre-consultation meeting.
	2. SWDH has received a Subdivision Engineering Report (SER) application. The application is in the review process.
	3. If individual sewage systems are being proposed, SWDH will require additional data in the SER process concerning the following
	☐ high seasonal ground water ☐ bedrock from original grade ☐ waste flow characteristics
	4. SWDH may/will require a study to assess the impact of nutrients and pathogens to receiving groundwater and/or surface water.
	5. If any of the following are proposed, the plan(s) must be submitted to, and approved by, the Division of Environmental Quality, before SWDH can lift sanitary restrictions:
	central sewage community sewage system community water (2-9 connections) sewage dry lines central water
	6. SWDH has received and approved the SER for this development and may/will release sanitary restrictions on the plat.
	7. SWDH has not received or approved the SER for this development. SWDH has signed the plat with sanitary restrictions in force. SWDH will require an SER for the entire development prior to releasing sanitary restrictions and issuing subsurface sewage permits.
	8. This is not a platted subdivision and sanitary restrictions do not need to be lifted. SWDH will not require an SER. However, SWDI highly recommends the applicant/developer contact SWDH and conduct prior planning since these cases are handled on a lot by lot basis. SWDH will require an on site evaluation prior to a subsurface sewage disposal permit being issued. All current rules and regulations pertaining to subsurface sewage disposal must be achieved.
X	9. Comments: The letter of intent states that, "The office and field personnel would utilize the existing facilities or on-site "portapotties"". Any additional wastewater flow generated by additional personnel must be evaluated by SWDH before it can be assumed that additional personnel will be able to use the existing toilet facilities. The existing septic systems may need to be enlarged. Also, be advised that "porta-potties" are not authorized for permanent usage, only for temporary events. Advise that applicant contact SWDH assoon as possible to discuss these issues.
	EXHIBIT
	Reviewed by: Robert A. Parsons 1008 Fast Locust 1155 Third Avenue North 46 West Court 824



July 19, 2007

J-U-B ENGINEERS, Inc.

ENGINEERS • SURVEYORS • PLANNERS

1

Regional Office 250 South Beechwood Avenue, Suite 201 Boise, ID 83709-0944

> 208-376-7330 Fax: 208-323-9336

> > www.jub.com

Stewart Constantine Director of Highways Golden Gate Highway District #3 P.O. Box 38 Wilder, ID 83676

ŧ

RF:

Low's Ready Mix Conditional Use Permit

Dear Stewart:

I have received more complete information regarding the Low's application for a conditional use permit. This information, along with the review of the amended traffic study for Summit Stone, has led me to re-evaluate my initial recommendations for the Low's Conditional Use Permit. My current recommendations are:

- 1. Boise River Road be overlaid by Low's from the Low's pit entrance to Notus Road with three (3) inches of hot mix asphalt.
- 2. Low's shall increase the radii at the intersection of Boise River Road and Notus Road to 30-foot minimum to accommodate the large vehicles.
- 3. Low's shall construct an acceleration/deceleration lane at the entrance to the proposed pit.

In addition, I recommend that Low's work with Golden Gate Highway District, in cooperation with the other gravel pit operators whose traffic travels north on the same section of Notus Road, to determine what long-term improvements need to be made to Notus Road and how the costs will be shared amongst the various parties. I believe it would be unfair to Low's to establish a set period of time for the negotiations to be accomplished because Low's is only one of the operators and the other operators do not have time constraints on their approvals for road improvements. I cannot establish a specific period of time for the successful completion of the Notus Road improvements for the same reason. The three items listed above should take care of any short-term roadway needs.

Please let me know if you need further assistance with this project. Call me at 376-7330 if you have any questions.

Sincerely,

J-U-B ENGINEERS, Inc.

Joseph E. Rosenlund, P.E., P.T.O.E.

Project Manager

JER:lhc

cc: Canyon County Development Services

Susan Wildwood, Attorney-At-Law

File: Golden Gate Highway District - 11634

P:\JER\11634 - GGHD #3\Subdivisions\07 Gravel Pits\JUB Letter Third Revision.doc



Susan Hartley

Diana Dyas

Sent:

Tuesday, July 31, 2007 4:22 PM

To:

Susan Hartley

Subject:

FW: CUP 2006-180 Low's Ready Mix

----Original Message----

From: Dennis C. Wilson [mailto:dcwilson@ci.caldwell.id.us]

Sent: Tuesday, July 31, 2007 4:10 PM

To: Diana Dyas

Subject: CUP 2006-180 Low's Ready Mix

Susan,

Re: CUP Case # 2006-180 Low's Ready Mix, Inc.

The Caldwell Rural Fire Protection District has no problems with the CUP. However, when and if the Applicants desire to improve that site with the proposed structures then there will be issues to be worked regarding access to the site (roadways, turnarounds, etc.), setbacks, addressing of the buildings, fuel storage, possible hazmat issues, and a rural water supply sufficient for protecting the existing structures as well as these proposed new buildings. A twenty-foot wide bridge capable of supporting up to 75,000 lbs. GVW would be required for any water crossings. All structures on any of these lots requiring a Canyon County Building Permit shall also require a CRFPD Rural Access Permit.

Respectfully submitted, Dennis C. Wilson lans Examiner and Doug Brown Deputy Chief / Fire Marshal Caldwell Rural FPD 310 S. 7th Ave. Caldwell, ID 83605 208-455-3032 dbrown@ci.caldwell.id.us <mailto:dbrown@ci.caldwell.id.us>





CANYON COUNTY WEED AND GOPHER CONTROL 15435 HWY 44 CALDWELL, IDAHO 208-459-0510

August 1, 2007

Helio Susan,

In response to proposal No.CU2006-180 for Low's Ready Mix, Inc. at the Boise River road in the Centerpoint road area, on parcels R35953, R3591, R35952, R3854, R38551, R38550-010, R38550-011 and R38584, we have these concerns:

Currently, according to the Idaho Noxious Weed Law (Idaho Code Title 22 Chapter 24), property owners are responsible for the control of all listed noxious weeds. We ask the owners to have a plan for noxious weed control until all the lots are sold. Currently this site has the noxious weed Gootch Thistle. Canada (tristle, Directoral Pepperweed, White top and Poison Heintlock).

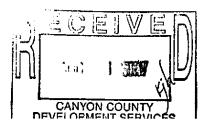
We ask the owners to become aware of the Canyon County Nuisance Ordinance 95-006, 7-11-95 under 02-01-05 Public Nuisance Weeds, undesirable or objectionable and nonuseful plant growth. A weed plan would include maintaining the weed height to 1' or less so that the weeds or seeds do not trespass on to any neighbor's property. When development starts, this area will have a potential for general weed growth

We ask the owners to be aware of the Gopher District requirements to control the gopher population until ownership is transferred.

We suggest that the developer add a vehicle with sprayer for herbicides to the equipment list.

Thanks, Jim Martell

Anyon County Weed and Gopher Control Superintendent



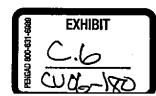


Exhibit B.3.a



CANYON COUNTY WEED AND GOPHER CONTROL

15435 HWY 44 CALDWELL, IDAHO 83607 Phone: (208) 459-0510

AGENCY RESPONSE

Case Name: Low's Ready Mix, Inc.

Site Address: Boise River road in the Centerpoint area

Parcel Number: R35953, R3591, R35952, R3854, R38551, R38550-010, R38550-011 and R38584,

Case Number: CU2006-180

- O CCW&GC has not inspected the Property.
- Property has a history of noxious weeds / weeds / gophers.
- Property does not have a history of problems with noxious weeds / weeds / gophers.
- O Applicant contacted CCW&GC and plans are being created.
- Applicant has not contacted CCW&GC.

Noxious Weeds

- Noxious weeds are present on Property and a Noxious Weed Plan has been created.
- Noxious weeds are present and no plan has been created.
- O No noxious weeds are found on the Property.

General Weeds

- General weeds are present on Property and a General Weed Control Plan has been created.
- General weeds are present on Property and no plan has been created.
- O General weed control plan is not needed under current maintenance (farming, pasture, etc.)

Gophers

- Gophers are present on Property and a Gopher Control Plan has been created.
- Gophers are present and no plan has been created.
- O No gophers are found on the Property.
- Plans are needed during development and until ownership is transferred to the new owners.

July 31, 2007 Jam Mouted

 Plans will be needed when a homeowners' association takes control of maintaining common areas and/or easements.

Date:

IDAHO DEPARTMENT OF LANDS 954 W. Jefferson Street Boise, ID 83720 (208) 334-0261

APPLICATION FOR RECLAMATION PLAN AMENDED

GENERAL INFORMATION

The Idaho Surface Mining Act, Idaho Code Title 47, Chapter 15 requires any operator of a surface mining operation to obtain an approved reclamation plan and bond. The is no application fee required. When an applicant is mining on lands administered by the U.S. Forest Service or Bureau of Land Management, it is necessary to obtain the proper federal approvals in addition to the Department of Lands. Each agency's application requirements are similar but not exactly the same. Please review both state and federal application requirements, and develop one plan which meets the requirements of the agency(ies) involved.

After the mine plan has been finalized, five (5) copies of this application must be submitted to the Idaho Department of Lands, Bureau of Minerals, at the above address. When the department receives an application, the appropriate federal agency will be notified of said application, and it will be reviewed for completeness with seven (7) days. All reclamation plan applications will be processed in accordance with Rule 8 of the Rules and Regulations Governing Exploration and Surface Mining Operations in Idaho and applicable Memorandums of Understanding with state and federal agencies.

APPLICANT INFORMATION

1.	Name Low's Ready Mix Inc.	d/b/a <u>Same</u>
2.	Address 10340 U. S. Highway 20-26	3. Telephone <u>(208) 795-5983</u>
	Caldwell, ID 83605	
4.	Claim Name None	
5.	Claim Owner None	
6.	Designated In-state agent and Address Cal Low, address	s above
7.	Legal Description pts. Secs. 32, 33, 34, T 5 N, R 4 W and Section32, 33, 34Township T 5 NSection4Township T 4 N	<u>d Sec. 4, T 4 N , R 4 W</u> Range <u>R 4 W</u> Range <u>R 4 W</u>
	E1/4 Sec. 32, T 5 N, R 4 W; NW1/4SW1/4; SW1/4SW1/4	
	SE1/4; SE1/4SE1/4; SW1/4SW1/4 Sec. 33, T 5 N, R 4 W; NE1/4NW1/4; NW1/4NE1/4; NE1/4NE1/4; SE1/4NW1/4;	
8.	Acreage 251 (Include map as outlined on Page 2) 231 Acres to be mined, 20.38 acres Crusher, Stockpiles,	9. County Canyon
10.	Operations Will Be Conducted on Private Administered L	ands.



- 11. Describe How To Get to Mining Operation Interstate 84 west to Notus, then south on Notus Road

 1 mile to Boise River Road. West on Boise River road 1 mile, the site is located to the north and south of Boise River Road.
- 12. Describe the Mining Operation Including Commodity Type, Proposed Start-Up Date, Mining Method, Equipment to be Used, and Duration of Operations on an Annual Basis and for the Life of the Project: (Provide additional sheets if necessary) Open Pit Mining Operation using conventional mining equipment, and including track excavators, dozers, and front end loader.
- Please Provide the Following Maps of Your Mining Operation (Rule 7.c):

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- a. A vicinity map prepared on a standard USGS 7.5' quadrangle map or equivalent. See Location Map
- A site map which adequately shows the location of existing roads, access roads, and main haul roads, which
 would be constructed or reconstructed for the operation. Also, list the approximate dates for construction,
 reconstruction and abandonment. (7.c i) See Site Plan Map and Narrative
- On a site location map show the location and names, if known, of all streams, creeks, or bodies of water within
 1,000 feet of the surface mining operation. See Site Plan Map
- d. On a site location map show the approximate boundaries of the lands which will be affected by the mining operation. This map must be of adequate scale for boundary identification. See Site Plan Map
- e. On a site location map show the approximate boundaries and acreage of the lands that will become affected by the mining operation during the first year of operations. See Site Plan Map
- f. On a site location map show the planned configuration of all tailings ponds and ancillary structures associated with the mining operation. See Site Plan Map
- g. On a site location map show the planned configuration of all pits, mineral stockpiles and overburden piles which will be developed by the mining operation. See Site Plan Map and Cross Section
- Develop a surface and mineral control or ownership map of appropriate scale for boundary identification. See
 Site Plan Map
- Develop scaled cross sections of the mine showing surface profiles prior to mining, at maximum disturbance, and after reclamation. See Cross Section A-A'
- 14. A reclamation plan must be developed and submitted in map and narrative form. The reclamation plan must include the following information:
 - a. On a drainage control map show and list the Best Management Practices which will be utilized to control erosion on or from the affected lands. See Source Operation, Narrative
 - On a site map show which roads will be reclaimed, the approximate dates for reclamation, and describe the reclamation to be accomplished. See Source Operation, Narrative
 - c. Develop a revegetation plan which identifies how topsoil or other growth medium will be salvaged, stored and replaced in order to properly revegetate the area, identify the type of soil to be replaced, the slope of the reclaimed areas, and precipitation rates. Based on this information, identify the seed species, the seeding rates, the time and method of planting the soil, and fertilizer and mulch requirements. See Final Reclamation
 - d. Describe and show how tailings or sediment ponds will be reclaimed. N/A
 - e. Estimate the actual cost of reclamation which includes the cost for equipment mobilization, regrading, seed, fertilizer, mulch, labor and any other pertinent costs. \$2,500.00 per acre

Data:	Applicant Signature	
Date:	Applicant Signature	

LOW'S READY MIX INC. NARRATIVE AND MINE STORM WATER POLLUTION PREVENTION PLAN AMENDMENT

GENERAL

Low's Ready Mix Inc. proposes a 251 acre sand and gravel mining operation including a crusher in Secs 32, 33, and 34, T 5 N, R 4 W, and Sec. 4, T 4 N, R 4 W, B. M., Canyon County, Idaho. The site is located approximately 1.0 miles south of U. S. Highway 20-26 on Notus Road then west on Boise River Road 1 mile. The site is located on both sides of Boise River Road, south of the Boise River. The proposed sand and gravel mining will produce 231 acres of permanent lakes within the site. The final location and shape of the ponds will be determined as the mining progresses, the areas to be permitted for mining are shown on the Site Plan Map. The ponds will be constructed in phases beginning in Phase 1 and proceeding to the west, then east, and then south to Phases 2, 3, then north to Phase 4. The ponds will be constructed over a minimum 30 year life of the operation and will either form a series of interconnected lakes with access road berms separating the individual lakes, or a single lake for each Phase.

OPERATION DESCRIPTION

Undisturbed Buffers

Thirty foot undisturbed buffers will be left between the disturbance edge and all property boundaries. Twenty foot undisturbed buffers will be left along the west property boundary against the existing drain. Undisturbed buffers against the Boise River shall range from a minimum of 150 feet in the northeast corner of Phase 1 to over 800 feet in Phases 1 and 4.

Mining Sequence

Mining will begin in the southeast corner of Phase 1 and will proceed to the west initially, then to the east. The gravel extraction will produce the rough pond shape, final grading and backfilling will be completed to form the final pond shape. The Phase 2 pond will be constructed upon completion of Phase 1. Phase 2 will mining will produce 2 ponds as shown on the Site Plan Map. Phase 3 will be completed after Phase 2, and will produce 2 ponds as shown on the Site Plan Map. Phase 4 will be completed after Phase 3, producing either a single pond, or will be connected to the Phase 1 pond to produce one large pond. The site will be mined with conventional mining equipment, including front end loaders, dozers, excavators, conveyors, crusher, stockpiles, and parking areas. All crushing and stockpiling will be completed outside of the Boise River Floodway. Mining within the floodway will be completed with no stockpiles, equipment, or floodway impedance.

Topsoil and Overburden Management

Mining of the site will begin by stripping available topsoil and overburden from the active mine working areas. Available topsoil will be stockpiled along the active pit perimeters to form temporary sight and sound berms up to 10 feet in height. Topsoil and overburden stripped during subsequent mining phases will be placed in the topsoil stockpiles for use as Final Reclamation suitable growth medium. The stockpile locations will change in size and location in response to active mining activities. The initial locations are shown on the Site Plan Map.

Pit Highwalls

Active pit highwall slopes will be angle or repose, or approximately 2:1. The initial pit will progressively expand to the west and east with time. Subsequent pits will be located as shown on the Site Plan Map.

Changes in Operational Sequences

Equipment locations, active mining locations, and gravel stockpile locations will change as the pit expands to the west and south. Access roads will change configuration as the pit expands. The initial configuration of the site will be similar to what is shown in the Site Plan Map, the final configuration of the site will be as depicted in Cross Section A-A'.

Pit Backfill

Minor backfilling is proposed to complete construction of the final pond perimeters as part of final reclamation. Overburden and topsoil from the property will be used to form the undulating shape and irregular shorelines of the pond perimeters. The backfill and regrading operation will begin during final reclamation of Phase 1; and will continue until final reclamation is complete with the site.

Mine Dewatering

Mine dewatering waters will be treated as storm water for the purpose of treatment and discharge. During the initial mining, mine dewatering waters shall be pumped into the adjacent irrigated pasture until the Mine Dewatering Ponds are Constructed. Upon completion of the Mine Dewatering Ponds, the discharge will be into the existing Drain No. 6 during the winter months, and into the adjacent irrigation canal during the summer months. The mine dewatering water will be pumped from the active mining area to a two-stage mine dewatering pond located at the west end of the crusher-stockpile area. The mine dewatering water will be allowed to clarify prior to discharge into the adjacent ditch and drain. Temporary erosion control rock check dams, sediment traps, pea gravel check dams, and sand berms shall be placed within the discharge channels as required to further clarify mine dewatering waters to decrease water turbidity in the event of unacceptable turbidity levels in the discharge water. Mine dewatering will be discharged into agricultural ditches and drains as part of Phase 2 and Phase 3. Phase 4 will use the existing Phase 1 pond as a settling pond prior to discharge. Storm water and mine dewatering water shall be pumped into the settling pond, and will be allowed to settle the water to reduce turbidity and sediment load prior to discharge. An EPA Multi-Sector Permit will be obtained prior to discharge of mine dewatering water. All storm water generated by the mining operation will be treated as mine dewatering water and will be clarified prior to discharge.

Process Water Discharge

All mine process waters will be segregated from mine dewatering waters. Mine process waters will not be discharged from the site. An EPA Industrial Storm Water Permit shall be obtained in the event that process water discharge is required from the site. Crusher and operation mine process water and stormwater generated will not be discharged from the site. The process water will be pumped into a constructed settling pond located to the north of the crusher site in Phase 1 as shown on the Site Plan Map. The settling pond will be designed to be zero discharge and stormwater and process water will be routed to the settling pond and will be allowed to evaporate without discharge to waters of the United States.

FINAL RECLAMATION

Upon completion of mining, pit highwalls will be regraded to a final 3:1 slope from the natural ground surface to a depth of 10 feet, approximately 5 feet below the static water elevation. The pit floor area will be left as mined, and will be irregular, to smooth to provide fish habitat. Disturbed areas be covered with available topsoil a minimum of 1 foot in depth. The topsoil will be reseeded with the reclamation revegetation plan as shown on the Site Plan Map. Revegetation will take place in the spring and the fall. Backfilling of the site shall be completed to form irregular shoreline features, islands, peninsulas, and bays along the pond margins. Backfilling and concurrent reclamation shall be completed as practical to minimize disturbed acreage within the site.

STORM WATER MANAGEMENT

Storm water generated with the mining site will be managed in the same fashion as mine dewatering within the site. Storm water generated during active mining operations will be captured in the pit floor and routed through the settling pond-drain system. Storm water generated in other areas of the site will be allowed to evaporate and infiltrate the groundwater table. Storm water generated at the crusher and parking area will be routed to the Mine Process Water Pond and will be allowed to settle with no discharge. Temporary erosion control silt fence, rock check dams, berms, and fiber wattles will be placed as needed to prevent storm water movement and discharge into canals, and drains. The site shall be inspected as required by EPA Stormwater rules to ensure that no storm water discharge into waters of the United States occurs.

ROAD RECLAMATION

Pit access roads constructed for the purpose of mining will become part of the pit. Existing access roads will left to be used for the farming operations and will be left to allow for pond access; and property

WATER MANAGEMENT, EROSION CONTROL AND STORM WATER POLLUTION PREVENTION PLAN

Permanent erosion control measures include:

- Operations, mining equipment, and stockpiles will be located away from active spring areas; areas of high groundwater table; and areas of standing water to reduce the potential for off-site erosion of disturbed lands and stockpile materials. Undisturbed, vegetated buffers shall be left between disturbance edges and all flowing ditches, drains, and the Boise River. The widths are as shown on the Site Plan Map.
- 2. Mining disturbance will be limited to areas necessary to construct and operate mine equipment. Mining will be restricted to disturbed areas, and will not be completed in, or adjacent to wetland or riparian areas. The disturbance limiting measures will limit off-site erosion, limit overland transportation of eroded materials during storm events, and will reduce the potential for wetland and riparian disturbance.
- 3. Mine components will be located in topographically-high areas as practical. Mine components will not be located in areas prone to standing high water.
- 4. Mining activities will be limited or suspended during periods of high precipitation in order to limit off-site erosion potential to waters of the United States.
- 5. Stockpile volumes will be limited in size and area extent. Unprotected stockpiles will be located adjacent to disturbed areas with drainage to Process Water Settling Pond.
- 6. Thirty-foot undisturbed buffers will be left against all property boundaries to provide vegetated buffers against all roads and property boundaries.
- 7. Twenty-foot undisturbed buffers will be left against all ditches and drain to provide vegetated buffers against all ditches and waterways.

TEMPORARY EROSION CONTROL MEASURES

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Temporary Erosion Control Measures will be implemented in the event of emergency storm water accumulation, or off-site movement of storm water. Temporary Erosion Control measures to be implemented include the following:

- Silt fence or overburden berms will be constructed along ditch and drain perimeters; and in all
 areas prone to storm water movement as needed during active mining operations to reduce the
 potential for storm water movement to waters of the United States. The Erosion Control Monitor
 shall monitor mining activities during high precipitation events to ensure storm water compliance
 is achieved.
- Site and noise reduction berms will be constructed along the south perimeter of Phases 2 and 3.
 The berms will be constructed to prevent off-site movement of storm water from the berm to
 waters of the United States.
- Fiber wattles and silt fence will be implemented within disturbed ground in the event of undesirable turbidity in storm waters, or movement of storm water from the mining site.
 Temporary Erosion control measures will be installed in compliance with State of Idaho standards and best management practices.
- 4. Mine de-watering water will be pumped into a two-stage Mine Dewatering Pond System for Phases 1, and 4 as shown on the Site Plan Map. The water will be allowed to settle out in the ponds, and will then be discharged by gravity to the west into the existing agricultural ditch and drain system. Temporary erosion control sand berms, rock check dams, and fiber wattles shall be constructed in the event that discharge water contains unacceptable turbidity levels.
- 5. Temporary erosion control measures will be maintained in good working order. If a repair is necessary, it will be initiated within 24 hours of a reported failure of a control device. All erosion control structures and measures will be inspected once a week and following any storm event of 0.5 inches of precipitation or greater, and to ensure that individual erosion control devices remain effective, have no defects, and are installed in a proper fashion.

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



STATE BOARD OF LAND COMMISSIONERS

C.L. "Butch" Otter, Governor Ben Ysursa, Secretary of State Lawrence G. Wasden, Attorney General Donna M. Jones, State Controller Tom Luna, Superin't of Public Instruction

August 8, 2007

Zoning Administrator Canyon County Development Services 1115 Albany St. Caldwell, Idaho 83605

NOTICE RECLAMATION PLAN APPLICATION

The State of Idaho, Department of Lands (IDL), as required by the Idaho Surface Mining Act, 47-1505 (6) Idaho Code, is giving Canyon County notice of proposed mining activity:

NAME OF OPERATOR:

Low's Ready Mix, Inc.

ADDRESS OF OPERATOR:

10340 U.S. Highway 20-26

Caldwell, Idaho 83605

PLAN NUMBER:

not yet assigned

LEGAL DESCRIPTION:

T4N, R4W, NE½NW¼, NW¼NE¼, NE½NE¼, SE½NW¼, SW¼NE¼ Sect. 4; T5N, R4W, NE½SE½ Sect. 32, T5N, R4W, NW½SW¼, NE½SE½, SE½SE½, SW½SE½, SE½SE½, SW½SW½ Sect. 33; T5N, R4W, SW½SW½ Sect. 34, B.M.

IDL has reviewed the application for completeness in accordance with Section 47-1506, Idaho Code. The plan was submitted to the Idaho Department of Water Resources, the Department of Environmental Quality, and Department of Fish and Game with a request for comments within 30 days.





This notice is being sent to you for your information. We will consider your comments, which are requested to be returned within 30 days. This review process must be finalized and the operator notified within 60 days or the reclamation plan becomes automatically approved as submitted, under the statute.

Cities and counties may review the non-confidential portions of the plan at my office or at the state office in Boise, and may provide comments to the director concerning the plan. IDL works with other agencies to ensure environmental, water quality and reclamation standards are maintained. We rely on cities and counties to address multiple-use issues, including planning and zoning and other operating requirements, i.e., hours of crushing and hauling, etc.

If you have any questions or comments you may contract me at the address and phone number listed above. I may also be contacted via email:

nwelbaum@idl.idaho.gov

Sincerely.

Nancy Wellaur

Nancy J. Welbaum

Senior Resource Specialist

cc: Eric Wilson

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?

<u>Conclusion</u>: The proposed use is permitted in the zone by conditional use permit.

<u>Finding</u>: 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."

Low's Ready Mix (Town Ranch LP) CU-PH2012-1011 amending CU2006-180 FCCO's Page 1 of 4

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

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

<u>Finding</u>: 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?

<u>Conclusion</u>: 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;

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

<u>Finding</u>: 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.

<u>Finding:</u> 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.

<u>Finding</u>: 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?

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

<u>Finding</u>: 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).

<u>Finding:</u> 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.

<u>Finding:</u> 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.

<u>Conclusion:</u> 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.

<u>Order</u>

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 YAMAMODO, CLERK

BY:

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 LAW AND ORDER; LOW'S READY MIX, INC; CU2006-180

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 915).
- 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



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 nine parcels approved for mineral extraction uses (R38540, R38546-010A, R38548-010, R38550-010, R38551,
- 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
- 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

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
 ii. Southwest District health Department
 iii. Golden Gate Highway District
 iv. Caldwell Fire District
 (Exhibit C.1, C.7 and C.8 of CU2006-180)
 (Exhibit C.2 of CU2006-180)
 (Exhibit C.4 of CU2006-180)
 (Exhibit C.5 of CU2006-180)

v. Canyon County Weed and Gopher Control (Exhibit C.5 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 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 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 sever, 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 activates on Parcel R35953, Applicant shall construct a ten (10) foot high top soil berm along the com on 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.
- 1. 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 <u>approves</u> 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 that day of September	, 2017.
	PLANNING AND ZONING COMMISSION CANYON COUNTY, IDAHO Richard Hall, Chairman
State of Idaho) SS	
County of Canyon County)	
On this day of, in the year 2017, before me appeared, personally known to me to instrument, and acknowledged to me that he(she) executed the same.	Kathleen Frost, a notary public, personally be the person whose name is subscribed to the within
KATHLEEN FROST NOTARY PUBLIC STATE OF IDAHO	Notary: K Lact My Commission Expires: 06-03-2022

Canyon County Planning and Zoning Commission Idaho Materials & Construction - CU2020-0005

Development Services Department



Findings of Fact, Conclusions of Law, Conditions of Approval, and Order Conditional Use Permit-CU2020-0005

Findings of Fact

- 1. The applicant, Idaho Materials & Construction, is requesting a Conditional Use Permit to allow a long-term mineral extraction use on Parcels R36014, R36015 and R36016 (approximately 637 acres) for a duration of 40 years. The property is located at 21451 Howe Road, Caldwell; also referenced as the Section 9, T4N, R4W; Canyon County, Idaho.
- 2. The subject properties are zoned "A" (Agricultural). The Future Land Use Map within the 2020 Canyon County Comprehensive Plan designated the parcels as "agricultural".
- 3. The subject properties are located within the Greenleaf Area of City Impact. Greenleaf's Future Land Use Plan designates the area for low/medium density residential. No comment were received from the City of Greenleaf.
- 4. A small portion of the property (within Parcel R36014) is located with a special flood hazard area (SFHA) identified as a 0.2 percent annual chance of flooding. The County does not regulate the identified SFHA. The County Ordinance regulates SFHA that has a one percent annual chance of flooding.
- 5. Notifications were made in accordance with CCZO §07-05-01. Notifications were mailed to the applicant and property owners within 300 feet on November 16, 2020. The legal notice was published to the Idaho Press Tribune on November 18, 2020. Agencies were notified on November 4, 2020. The properties were posted on November 25, 2020.
- 6. The record includes all testimony, staff reports, exhibits, and documents in case fileCU2020-0005.

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). Long term mineral extraction, batch plants and associated uses are allowed by conditional use permit (CUP) in the agricultural zone (CCZO §07-10-27).

Finding:

Pursuant to CCZO §07-02-03, Mineral extraction is defined as, "The various activities associated with the excavation of mineral resources, including, but not limited to, gravel, from the ground." A batch plant is defined as, "A central proportioning and mixing plant for the production of an aggregate product such as asphalt or concrete."

Pursuant to CCZO §07-10-27, mineral extraction is allowed in the "A" zone subject to a conditional use permit. The application for a conditional use permit was submitted on June 10, 2019.

2. What is the nature of the request?

In accordance with the applicant's letter of intent with site plan (Attachment A) and reclamation plan approval (Attachment B), the mineral extraction use consists of the following:

- The request will allow sand and mining extraction, washing, crushing, scaling, hauling, stockpiling, selling and related activities and operations. The request also includes authorization to operate a concrete and asphalt batch plant. Areas not in operation will remain in agricultural use.
- Duration: 40 years (January 7, 2061). The applicant does not intend to commence use at this site until their existing site (approximately 1,300 feet south-east) is depleted in approximately seven years.

1

- Employees: Up to fouremployees on-site when in operation.
- Hours of operation: 7AM to 6PM, Monday through Saturday (24/7 as needed for specific contract work).
- Access: Howe Road, a minor collector road. Access previous used for feedlot.
- <u>Sign</u>: No signage is requested as part of this decision. Future signage may be permitted in accordance with CCZO §07-10-013.
- <u>Setbacks</u>: 50' setback from property boundaries and canals, laterals and irrigation ditches. 300' stockpile setback from Howe Road. Landscaping along Howe Road similar to Canyon Highway District gravel pit (CU2005-62), Knife River (CU2019-0006) and Burch gravel pit (CU2019-0013) is proposed.
- Reclamation: Ponds

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 proposed use is 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."
- 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."
- Agriculture Component Policy No. 4: "Development shall not be allowed to disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rightsof-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 change the essential character of the area. Potential impacts to the area will be mitigated by conditions of approval.

Finding: The parcel and surrounding area is zoned "A" (Agricultural). Future land use designation for the area is "agricultural". Although houses exist in the area, the area is not anticipated to support residential growth. There are a few subdivisions within a one-mile radius (within the City of Greenleaf). The nearest subdivision (Greenleaf Air Ranch)includes an airstrip approximately 2,000 feet from the subject request with residential lots approximately 4,000 feet from the subject request.

The parcel is adjacent east (a one to two mile radius) to over 1,900 acres of land approved for mineral extraction uses. Within a one-mile radius, the parcels are located near the following uses:

 Parcels R36107 &R36106 (approximately 1,300 south): Conditional Use Permit to allow a long-term mineral extraction approved in 1999. The use expires on March 18, 2039.

- Parcels R36102, R36101010 and R36096010 (approximately 1,300 south-east): Conditional Use Permit to allow a long-term mineral extraction with concrete and asphalt batch plant approved in 2019. The use expires on November 21, 2059 (CU2019-0018 - Idaho Materials and Construction).
- Parcels R36017, R36018, R36018, and R36018010A approximately 2,600 east): Conditional Use Permit to allow a long-term mineral extraction with concrete and asphalt batch plants approved in 2019. The use expires February 21, 2033 (CU2019-0006 - Knife River).
- Parcel R35942010 (approximately 2,700 feet north east from the subject project site): Conditional Use Permit to allow long-term mineral extraction approved in 2019. The use expires on December 19, 2049 (CU2019-0013).

Conditions of approval have been applied to reduce potential impacts to the surrounding area. Conditions include hours of operations and landscaping requirements consistent with the adjacent gravel pit. Idaho Materials and Construction and/or any future operator must meet all federal, state, and local permitting requirements for the proposed uses on the property including mineral extraction and crushing operationsrelated to dust, noise from extraction, crushing, and odor as a condition of approval.

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 operation willnot require septic system and well. Potable restrooms will be provided as needed. Potable water will not be provided on-site.

Existing gravity irrigation will continue to be used in locations no yet in mineral extraction use. The property is bisected by the Eureka Drain and South Drain. The operation cannot disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-ofway without approval by the local irrigation district and Bureau of Reclamation. The applicant proposes a 50 foot setback of each side of the drains to ensure the operation do not disrupt or destroy the existing drains.

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

Conclusion: Access will be provided from Howe Road, a minor collector.

Finding:

The subject parcel has frontage along Howe Road, a minor collector road. Access previous used for feedlot. The access will need to meet commercial approach standards via a Commercial Approach Permit prior to commencement of use (Attachment C).

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

Conclusion: As conditioned, the mining of the subject propertywill not create undue interference with existing or future traffic patterns.

Finding:

Golden-Gate Highway District (GGHD) finds that the access to the site has been approved for agricultural/feedlot uses. Therefore, the access will need to meet commercial approach standards via a Commercial Approach Permit. GGHD also finds that the proposed use with potential truck trips generated will impact the existing roadway and existing road pavement. Therefore, a Traffic Impact Study with a scope to be determined by GGHD is required prior to commencement of use and right-of-way dedication (Attachment C).

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 are available in the area and the proposed use of long term mineral extraction should not require additional public funding 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.

Additional Standards §07-14-19 Mineral Extraction Long Term:

When making a decision for a conditional use permit for the use, the decision making body shall 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 is compatible with the surrounding properties.

Finding:

See Finding No. 4 above for more information.

2. Duration of the proposed use;

Conclusion:

The proposed duration is 40 years.

Finding:

According to CCZO 07-07-23: Provisions for Land Use Time Limitations; "gravel pits are exempt from commencement and time completion requirements. The presiding party has the discretionary power to establish commencement and completion requirements as specific conditions of approval for gravel pits." The applicant is requesting a permit to operate for a duration of 30 years on the subject property.

3. Setbacks from surrounding uses;

Conclusion:

The applicant shall comply with CCZO §07-14-19 standards.

Finding:

According to the site plans (Attachment A) the gravel pit and operations will be 50' from property boundaries and canals, laterals and irrigation ditches. A 300' stockpile setback is proposed from Howe Road. Landscaping along Howe Road (similar to Canyon Highway District gravel pit (CU2005-62), Knife River (CU2019-0006) and Burch gravel pit (CU2019-0013) is proposed.

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

Conclusion:

An approved reclamation plan is approved as S602977 dated January 21, 2020.

Finding:

The applicant has submitted a reclamation planS602977 (Attachment B) approved by Idaho Department of Lands. A condition of approval has been applied to ensure all conditions required by Idaho Department of Lands are met.

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

Conclusion:

The applicant has provided a site plan showing locations of proposed pits and operations.

Finding:

The applicant has provided a site plan showing locations of proposed pits and operations (Attachment A).

6. Recommendation from applicable government agencies

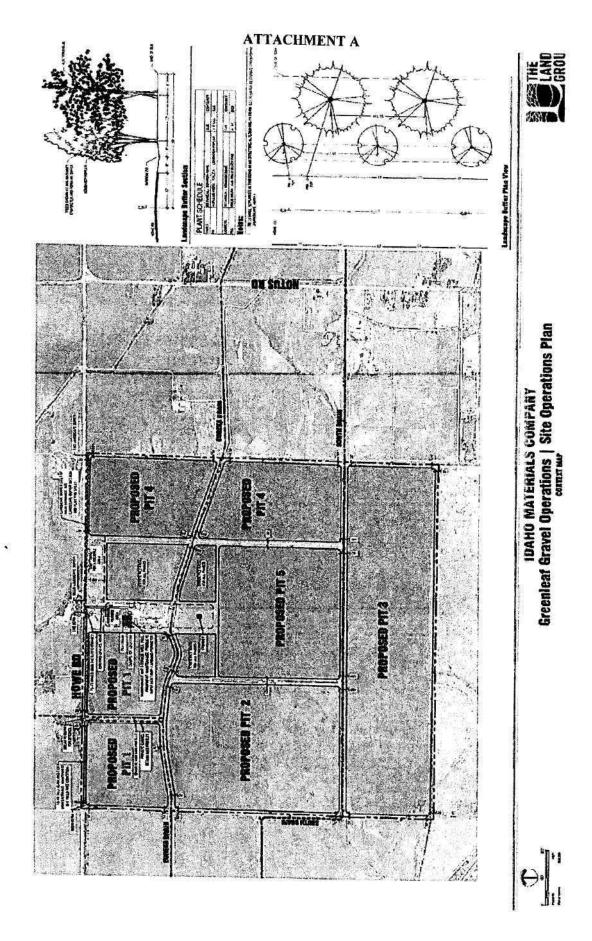
- A traffic impact study, access variance and commercial approach is required by the Golden-Gate Highway District #3(Attachment C).
- Department of Lands approved Reclamation Plan with required conditions(Attachment B).

Conditions of Approval

- 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. Mining operations and reclamation shall be in substantial conformance with the Site Plan (Attachment A).
 - i. Mining of the west portion of Proposed Pit #1, as shown on the Site Plan (Attachment A) shall not commence until after the other proposed pits have been mined.
 - b. Mining operation shall comply with the approved reclamation plan S602977 (Attachment B) and all conditions and requirements of said reclamation plan.
- 2. Prior to commencement of use, the development shall comply with the rules, recommendations and conditions of:
 - Golden-Gate Highway District No. 3: Attachment C.
- 3. All associated operations such as batch plants, parking, stockpiles and associated structures shall be setback 300 feet from the property boundary along Howe Lane.
 - a. The crusher shall be located within a proposed pit.
- 4. Development shall not impede, disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way. Alterations of irrigation structures located on the property can be conducted upon obtaining written approval from the irrigation company having jurisdiction. The alterations shall not impede or affect water delivery or drainage to and from adjacent properties/water users.
- 5. Water, surface and groundwater shall be discharged in accordance with state, federal, and local standards and/or regulations. Sediment shall not be discharged from the site in process or stormwater overflow into the irrigation structures on site.
- 6. The duration of the proposed operations on the subject parcel shall be 40 years (January 7, 2061).
- 7. Normal operations shall be Monday through Saturday, 7:00 a.m. to 6:00 p.m. There shall be no operations on Sundays. Operations outside of normal hoursare allowed subject to the following requirements:
 - a. Exterior lighting shall only light the area necessary for the operation. Off-site glare shall be minimized by use of down-lit fixtures and directing the light away from existing dwellings.
 - b. All operations except hauling shall be at least 1,000 feet from Howe Road and any dwellings existing at the time of this application.
- 8. The storage of diesel fuel, petroleum products, and any other hazardous materials must meet the standards set forth by the applicable agencies.
- 9. Noise emissions shall follow the regulations and standards of OSHA and MSHA.
- 10. A landscaped buffer area providing a visual barrier consisting of one row of hybrid poplars or similar fast-growing deciduous trees and one row of evergreens and shall be planted in an offsetting patternalong Howe Road in accordance with the proposed Site Plan (Attachment A). The deciduous trees planted in this visual barrier shall be at least six feet in height and the evergreens shall be at least four feet in height. All trees shall be maintained in a living condition. The visual barrier shall be kept free of weeds. Any berms proposed along Howe Road must be landscaped/hardscaped and kept free of weeds. A landscaping plan demonstrating adequate spacing fulfilling this requirement shall be submitted for approval to the Development Services Department prior to installing the visual barrier. Landscaping shall be installed prior to commencement of use.
- 11. Dust shall be controlled in accordance with applicable federal, state, and county laws, ordinances, rules and regulations that pertain to operations including, but not limited to, nuisance regulations (CCCO Chapter 2 Article 1: Public Nuisances).

and Zoning Commission approves Case #CU2020-0005, a con extraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014, R36015 and R36016 as conditional contraction use Parcels R36014 as condition use Parcels R36014 as condition use Parcels	oned herein
APPROVED this 7th day of January	, 2021.
	PLANNING AND ZONING COMMISSION CANYON COUNTY, IDAHO Andrew Agreement Sturgill, Chairman
State of Idaho)	Robert Sturgill, Chairman
SS	
County of Canyon County)	
On this 7 day of January in the year 2021, before m appeared Koburt Sturgill personally known to me to instrument, and acknowledged to me that he(she) executed the same.	be the person whose name is subscribed to the within
KELLIE Z. GEORGE	Notary: My Commission Expires:

KELLIE Z. GEORGE COMMISSION #46603 NOTARY PUBLIC STATE OF IDAHO



ATTACHMENT B

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 Lawerence E. Denney, Secretary of State Lawrence G. Wasden, Astorney General Brandon D. Woolf, State Controller Sherri Ybarra, Sup't of Public Instruction

January 21, 2020

Idaho Materials and Construction 924 N Sugar Road Nampa, ID 83687

This correspondence is notification that the following reclamation plan was approved on 01/21/2020:

PLAN NO.	_ACRES	COUNTY	Provided Of
S602977	637.31	Canyon	LEGAL DESCRIPTION TO4N R04W Section 9

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

- 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
- 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.
- Erosion and non-point source pollution shall be minimized by careful design of the site 3. 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
 - c. Removing and stockpilling all topsoil or suitable plant growth material for use in
- An initial recisimation bond in the amount of \$185,000 for up to 78.59 acres of disturbance will be submitted to and maintained with the idaho Department of Lands prior to conducting any surface mining operations.
- 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 Pravention 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.
- 7. 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.

Please note — pursuant to Idaho Code section 47-1512(a), operations cannot commence until the bond payment 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 4, 2020, the stipulations will be considered as accepted.

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

Sinderely,

Derek Kraft

Senior Resource Specialist

ATTACHMENT C

Golden Gate Highway District No. 3

Commissioners: Virgii Holsclaw, David Lincoln, Fred Sarceda

November 19, 2020

To:

Dan Lister

Canyon Co. Development Services

From:

Gordon Bates, P.E. Director of Highways

Subject:

CU2020-0005 – Idaho Materials & Construction Gravel Pits and Batch Plants

Parcels R360140000, R360150000 and R360160000

21451 Howe Road

The subject parcels are within the City of Greenleaf Impact Area and less than one (1) mile from Greenleaf City Limits. The City of Greenleaf may wish to submit separate comments on the proposed Conditional Use Permit. These comments by Golden Gate Highway District No. 3 (GGHD3) in no way represent the City.

I have reviewed the application materials transmitted on 11/04/2020 for a Conditional Use Permit for mineral extraction, crushing plus both concrete and asphalt batch plants. This includes narrative letters by the Applicant dated 3/6/2020 plus Site Operations Plan (sheets 1-8) with no date. I also had a pre-application meeting with Mr. Todd Lakey to review the proposed land use. GGHD3 comments exclude verbal discussions.

At this time and based upon said written information provided with the application and those referenced above, the following comments are applicable to the Conditional Use Permit:

General Comments:

GGHD3 is <u>neutral</u> to the proposed land use in and of itself. Potential impacts to the public road network are the focus of GGHD3 comments and concerns,

Functional Classification for Howe Road is Minor Collector on the Functional Classification Map currently adopted by GGHD3. Existing R/W on Howe Road at the subject parcels is 50 feet wide prescriptive easement (25 feet half width measured from center of roadway). Ultimate R/W width for a Minor Collector is 80 feet (40 feet half width) under current ACCHD Standards Section 3030.010.

The Applicant proposes to use the existing access at 21451 Howe Road to serve the subject parcels. The existing access historically served a feedlot. Mr. Lakey's letter also notes that access may be revised in the future.



500 E. Golden Gate Ave. Wilder, ID 83676

Fax

Phone 208, 482,6257 200, 402,5100 Email gardonb@gghd5.org

Page 1 of 3

Golden Gate Highway District No. 3

Commissioners: Virgil Holsciaw, David Lincoln, Fred Sarceda

Howe Road existing pavement section is a Bituminous Surface Treatment (BST) that includes various layers of chip seal and patching material. GGHD3 is concerned the existing roadway section will be inadequate to support the addition of heavy truck traffic traveling to/from the proposed gravel pit. BST roadways are susceptible to severe rutting and pavement failure when increases in heavy truck volumes occur.

Transportation Impacts:

ACCHD Standards adopted by GGHD3 require mitigation of traffic impacts from development activities. The level of mitigation is determined by a Traffic Impact Study (TIS) to determine a proposed development's impact upon the existing road network and future transportation system. This requirement is typical for commercial development and is applied to any new or expanding gravel extraction operations, crushing and batch plants.

The written application provided to the Highway District does not include information regarding voluntary traffic mitigation improvements by the Applicant. At this time, a TIS is warranted to evaluate phase size, traffic generation and traffic mitigation improvements. ACCHD Section 3120.010 requires a preliminary TIS prior to land use approval by Canyon County.

Recommendations and Requirements:

At this time and based upon said written information provided with the application, the following requirements are applicable:

- 1. The Applicant shall secure a Commercial Approach Permit from GGHD and improve the existing approach onto Howe Road. Future new approaches also require a new Commercial Approach Permit. All commercial approaches shall meet ACCHD Standard Drawing 106 and be paved 20-ft from the exiting edge of pavement or to the right of way line whichever is greater per ACCHD Section 3061.060.
- 2. A Traffic Impact Study (TIS) is required by GGHD3. A scoping meeting will determine the details and should include the Applicant, their traffic consultant and GGHD3.
 - TIS for a gravel pit typically include the following:
 - i. Trip generation by the gravel pit operations,
 - Site access including potential turn lanes,
 - iii. Route to the State Highway,
 - iv. Analysis of roadway geometrics vs. truck size (very tight curves),
 - v. Intersection operation and level of service along said route,
 - vi. Structural capacity of the roadway, and
 - vii. Calculation of proportionate share of costs by the Applicant for mitigation improvements and roadway reconstruction
 - b. A multi-phase development shall submit the TIS for all phases with the first phase.
 - c. Batch plant(s) maximum production, location and traffic generation shall be provided for inclusion in the Tis.



 Address
 Phone
 208, 482,6267

 500 E. Golden Gate Ave.
 Fax
 200, 482,6200

 Wilder, ID 83676
 Email
 aordonb@grabd3.org

Page 2 of 3

Golden Gate Highway District No. 3

Commissioners: Virgil Hoisciaw, David Lincoln, Fred Sarceda

- d. TIS required mitigation improvements (to-be-determined) should be listed as a specific Canyon County required Condition of Approval in the event the Conditional Use Permit is granted.
- e. TIS mitigation improvements by the Applicant shall also require engineering plan approval and construction permits from GGHD3.
- 3. Additional Right-of-Way dedication is requested along Howe Road to accommodate future road widening.
 - a. 40-ft within the subject parcels measured from existing center of roadway or parcel boundary, whichever is greater. This includes the 25-ft wide prescriptive easement plus an additional 15-ft for the total half width for a Minor Collector.
 - b. The mining and reclamation plan shall provide sufficient generally level land to provide lateral support for the ultimate widening of the roadway within the
 - c. The area proposed for right-of-way dedication should be preserved at or near existing grades, and sufficient area adjacent left un-mined to provide lateral support to the full right-of-way width.
 - d. The Applicant shall dedicate this right-of-way to the Highway Districts on request, or on completion of mining operations and reclamation of the subject property.

GGHD3 reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available.

GGHD3 requests that Development Services incorporates these comments into proposed Conditions of Approval for consideration/approval by the Planning & Zoning Commission and the Canyon County Commissioners in the event that the Rezone is granted.



500 E. Golden Gate Ave. Wilder, ID 83676

Phone 208, 482,6267 Fax

Email

Z09. 482.5100 <u> gardauh@eghd3.org</u>

Page 3 of 3

EXHIBIT C Site Visit Photos

CU2024-0014 Nampa Paving



Site Visit 5/15/2025

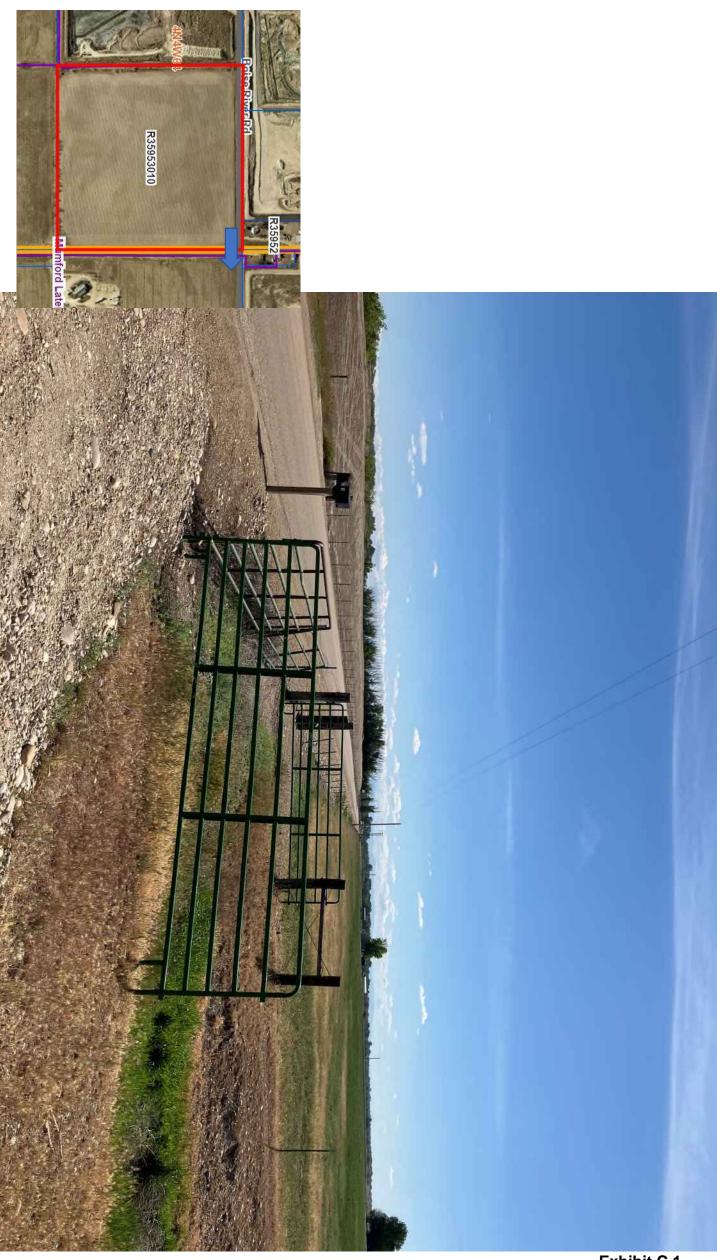
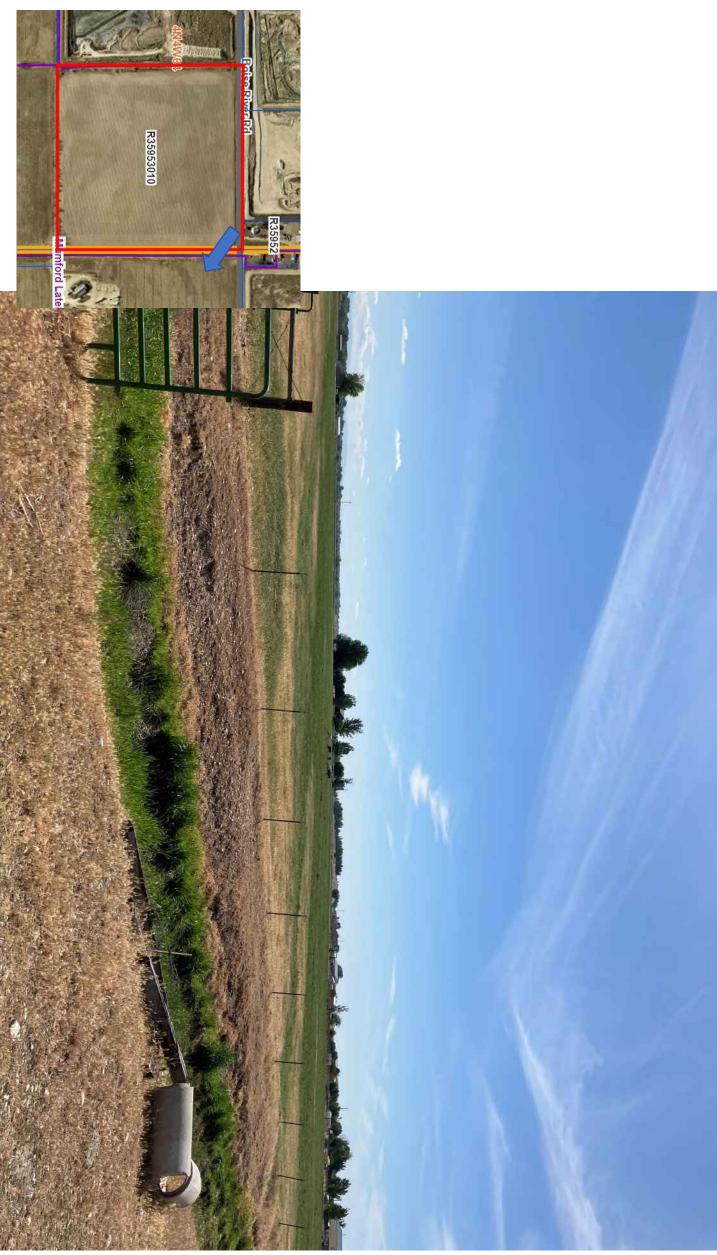


Exhibit C.1



Evhibit C

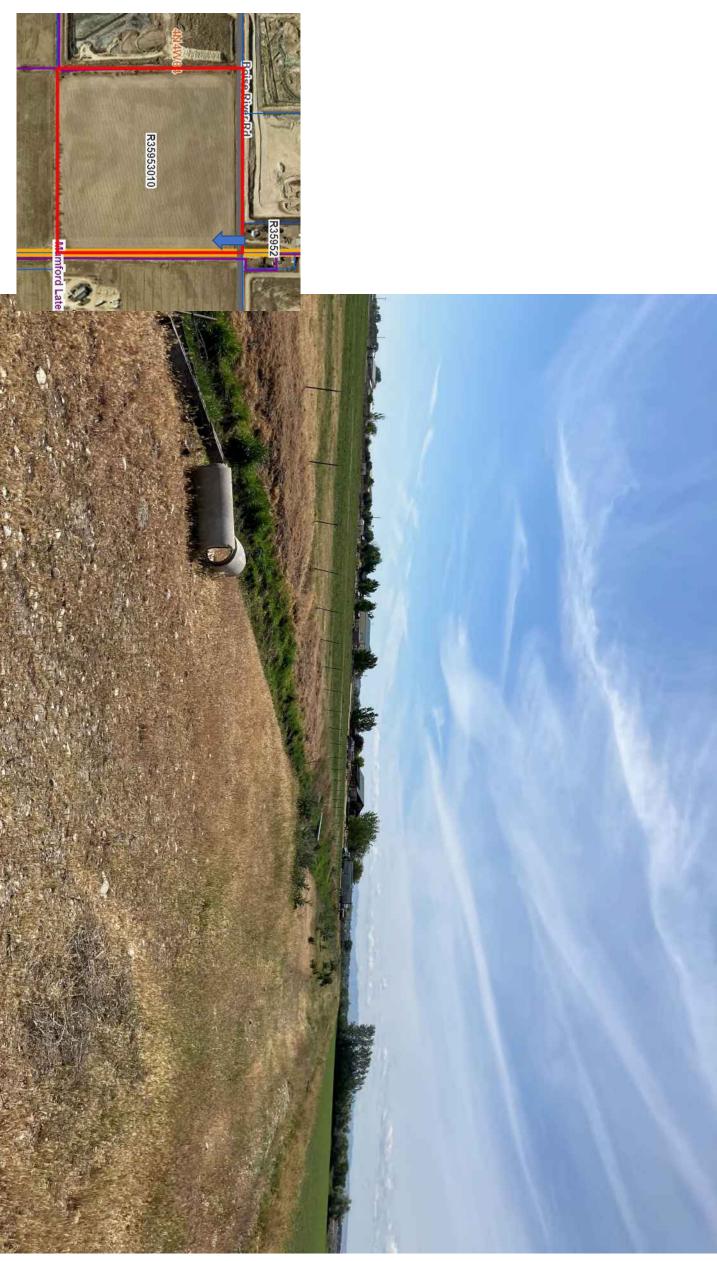
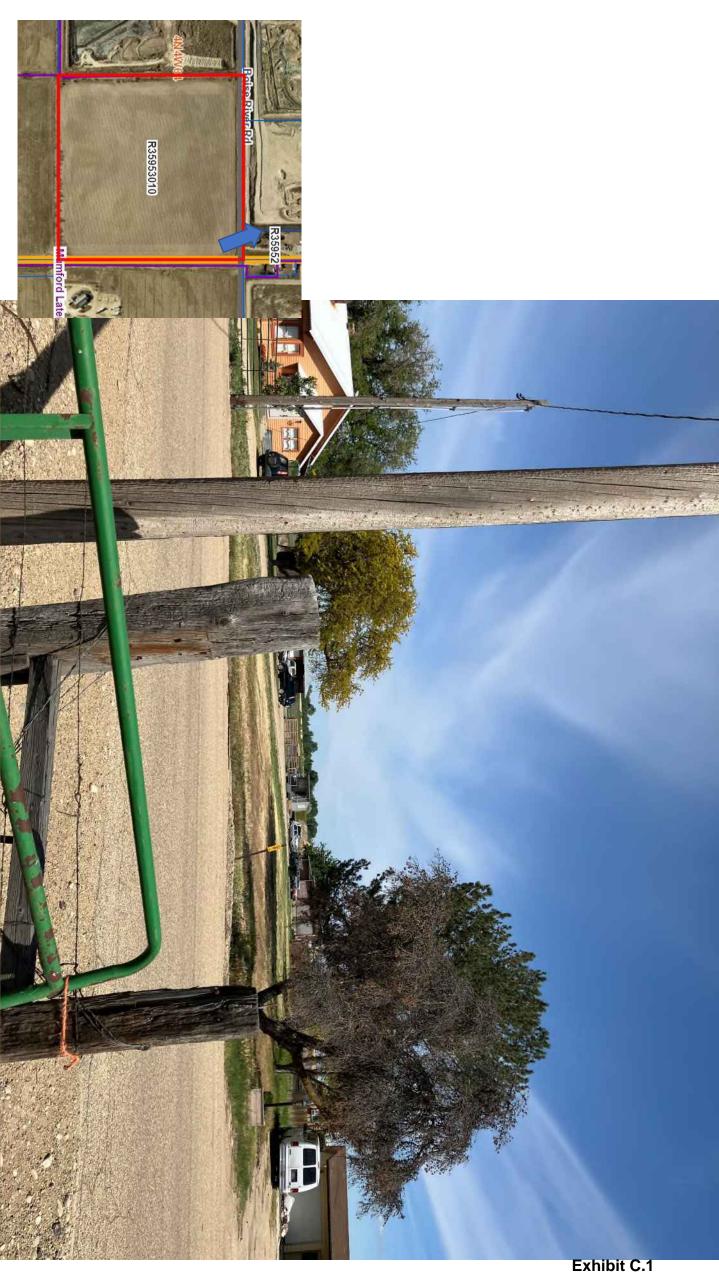


Exhibit C.1



Exhibit C.1



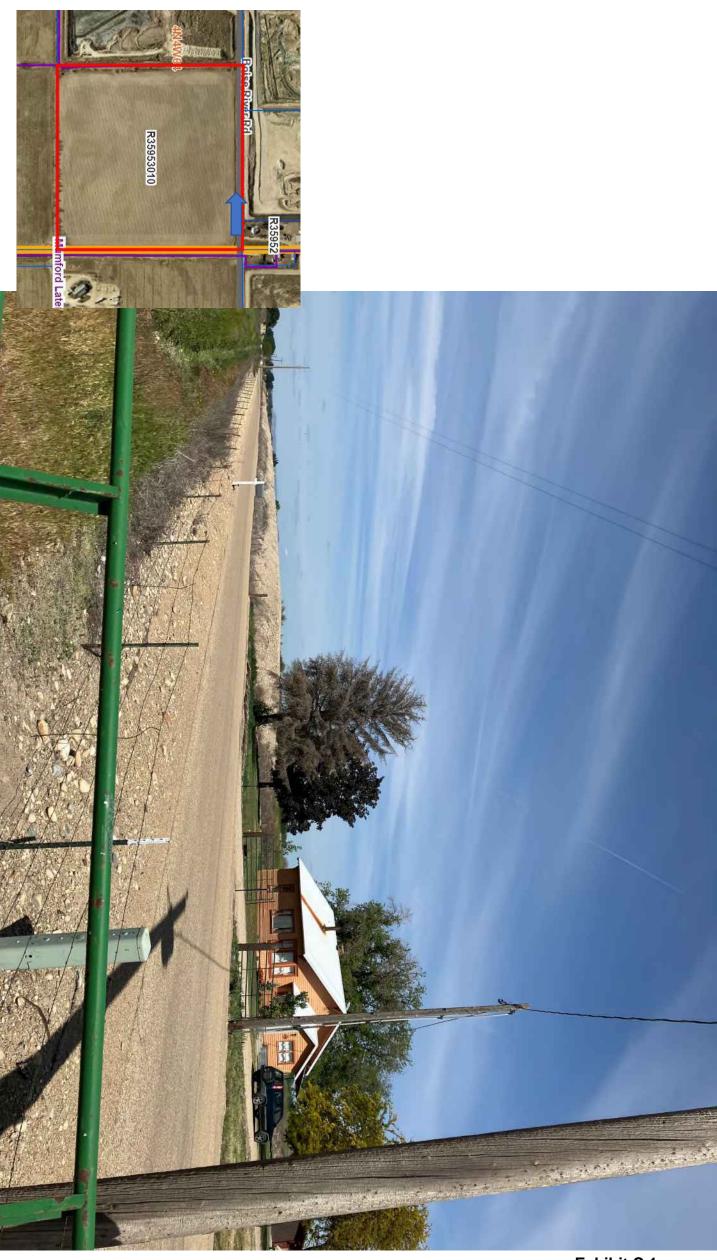
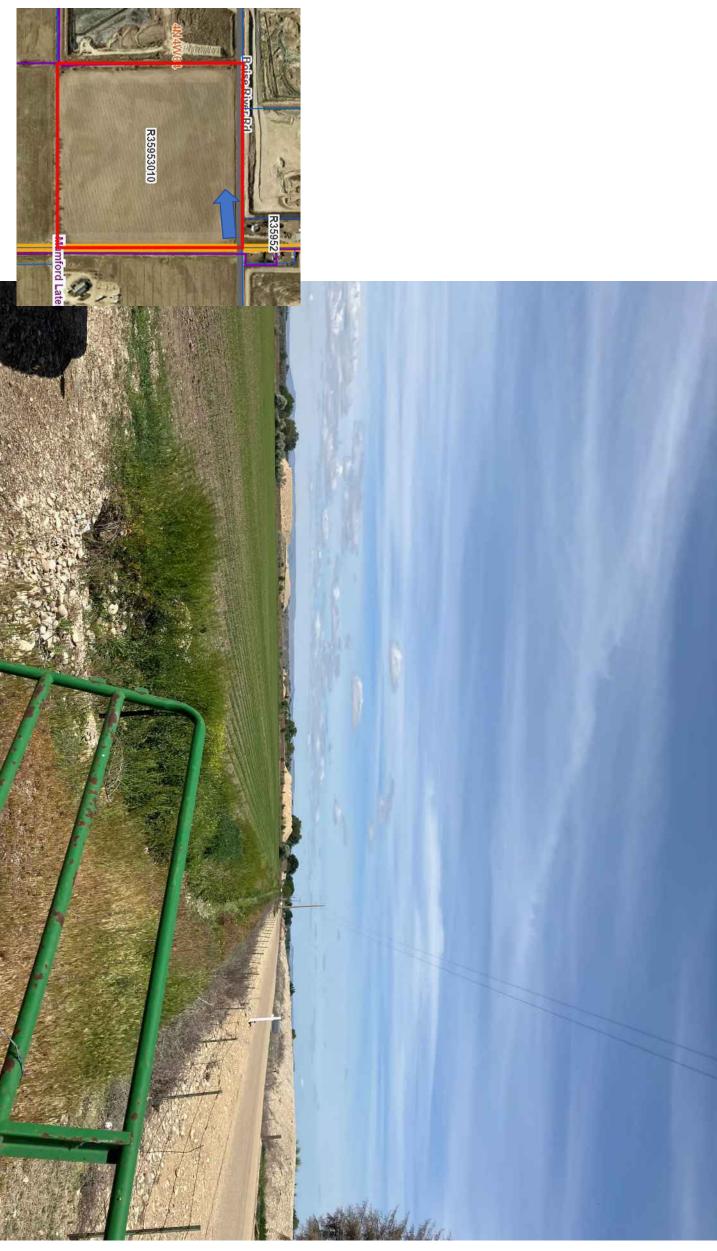


Exhibit C.1



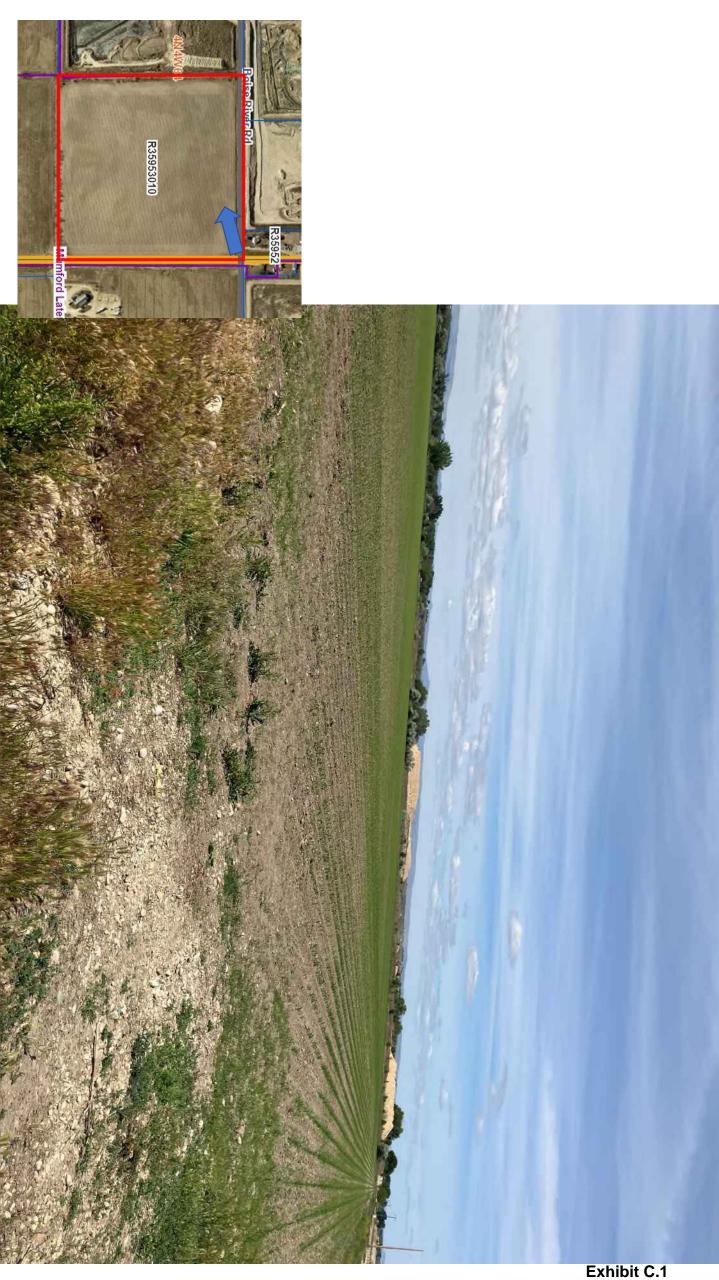


EXHIBIT D Agency Comments

Joshua Johnson

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Wednesday, February 12, 2025 7:17 AM

To: Joshua Johnson

Subject: [External] RE: Agency Notification CU2024-0014 / Randy Wood

Hi Joshua,

Please see the request for the questions below.

- 1.) Will a Nutrient Pathogen Study be required? Nutrient Pathogen Study is not required.
- 2.) Will adequate sanitary systems be provided to accommodate the use? **Septic systems have not been proposed for this project.**
- 3.) Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city? **SWDH does not have concerns with the requested rezoning or use of the proposal.**

Please let me know if you have any questions.

Thank you,



Check out our new online self-service portal here! PORTAL

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

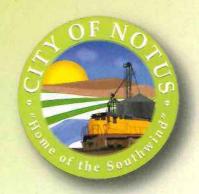
From: Caitlin Ross < Caitlin.Ross@canyoncounty.id.gov>

Sent: Monday, February 10, 2025 4:17 PM

To: 'krantza@notusschools.org' <krantza@notusschools.org>; 'lrichard@cityofcaldwell.org'

- <Irichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'knute.sandahl@doi.idaho.gov'
- <knute.sandahl@doi.idaho.gov>; 'bobw@gghd3.org' <bobw@gghd3.org>; 'brandy.walker@centurylink.com'
- <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>;
- 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com'
- <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com'
 <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com'
- <Contract.Administration.Bid.Box@ziply.com>; 'drain.dist.2@gmail.com' <drain.dist.2@gmail.com>;
- 'bryce@sawtoothlaw.com' <bryce@sawtoothlaw.com>; 'projectmgr@boiseriver.org' ctmgr@boiseriver.org; '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'

Exhibit D.2



CITY OF NOTUS

375 Notus Road P.O. Box 257 Notus, ID 83656 notuscityclerk@gmail.com notusidaho.org Office 208-459-6212 Fax 208-459-0925

March 11, 2025

To: Canyon County Development Services Department Joshua.johnson@canyoncounty.id.gov

Re: Case No.: CU2024-0014

Nampa Paving

Comment: Regarding proposed gravel extraction operation.

General comments and concerns related to the long-term impacts of the proposed operation.

- Change of use from agricultural---assuming pasture land to mineral extraction: What are the environmental affects of the change? With so many gravel operations being located in the area, what changes come with the loss of green/living vegetation vs. the stripped out land for wildlife or human well-being?
- If the eventual rehab plan is ponds, etc., does that increase mosquito populations for the area...how would that affect people living in the general area?
- Concern that gravel haulers will cover loads---traffic from this operation will increase an already terrible incidence of broken & pitted windshields of road & highway users.
- Turning radius of intersections at Simplot Blvd. & Notus Rd. and Boise River Rd and Notus Rd. required by the large load trucks.
- Weight damage on roadways from heavy loads...much more impactful than
 increased residential traffic. Is there adequate fee structure for county
 or cities to recoup expenses of repairs for roads frequented by the heavy
 use of the industry.

Thank you for taking these concerns into consideration.

Notus City Council



IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028 (208) 334-8300 • itd.idaho.gov

February 20, 2025

Joshua Johnson Canyon County Development Services 111 North 11th Ave, Ste 310 Caldwell, Idaho 83605

VIA EMAIL

Development Application	CU2021-0014		
Project Name	Nampa Paving		
Project Location	Approximately XX miles X of SH-19		
Project Description	Mineral Extraction with Crushing & Sorting		
Applicant	Randy Wood; Nampa Paving		

The Idaho Transportation Department (ITD) reviewed the referenced application(s) and has the following comments:

- 1. This project does not abut the state highway system.
- 2. Traffic generation numbers and distribution patterns were not provided with this application. ITD needs more information to determine how this proposed use will impact the State Highway system. ITD reserves the right to make further comments upon review of any submitted traffic generation data or other documents.

If you have questions regarding this application, you may contact Niki Benyakhlef at Niki.Benyakhlef@itd.idaho.gov or (208)334-8337.

Sincerely, Miki Benyakhlef

Niki Benyakhlef

Development Services Coordinator

ITD District 3

Niki.Benyakhlef@itd.idaho.gov

Dan Lister

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>

Sent: Thursday, May 1, 2025 8:48 AM

To: Dan Lister

Subject: RE: [External] RE: Agency Notice of CU2024-0014 / Nampa Paving/Wood

Hi Dan! I trust your judgement. 🕄

We can make it a condition of approval.

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: Dan Lister < Daniel. Lister@canyoncounty.id.gov>

Sent: Thursday, May 1, 2025 8:43 AM

To: Niki Benyakhlef < Niki.Benyakhlef@itd.idaho.gov>

Subject: RE: [External] RE: Agency Notice of CU2024-0014 / Nampa Paving/Wood

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.

Niki,

I believe a condition of approval could work. If the applicant begins mineral extraction use without meeting conditions, they can have their conditional use permit revoked. Golden Gate HWY District already found the request would not warrant a TIS but requested pavement analysis to be completed before commencement of use and made it a condition of approval.

If you're still not comfortable with a condition of approval, you can request the hearing be tabled until the information requested has been provided.

Sincerely,

Dan Lister, Planning Supervisor

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

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD) Public office hours Monday, Tuesday, Thursday, and Friday 8 am – 5 pm Wednesday 1 pm – 5 pm

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

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From: Niki Benyakhlef < Niki.Benyakhlef@itd.idaho.gov>

Sent: Thursday, May 1, 2025 8:22 AM

To: Dan Lister < Daniel. Lister@canyoncounty.id.gov>

Subject: RE: [External] RE: Agency Notice of CU2024-0014 / Nampa Paving/Wood

Hi Dan,

I would not feel comfortable with a conditional approval simply due to the problem we had with IMC not completing their mitigations that we requested. However, with this particular application being further from US20/26, I'm not sure we can request a denial of the case.

Thoughts?



Niki Benyakhlef Development Services Coordinator

District 3 Development Services

O: 208.334.8337 | C: 208.296.9750 Email: <u>niki.benyakhlef@itd.idaho.gov</u>

Website: itd.idaho.gov

From: Dan Lister < Daniel.Lister@canyoncounty.id.gov>

Sent: Thursday, May 1, 2025 8:10 AM

To: Niki Benyakhlef < Niki.Benyakhlef@itd.idaho.gov >

Subject: RE: [External] RE: Agency Notice of CU2024-0014 / Nampa Paving/Wood

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.

Niki,

Thank you for your e-mail. Would you recommend denial of the case until the information is provided, or is ITD okay with a condition of approval requiring review and approval from ITD before commencement of use?

Sincerely,

Dan Lister, Planning Supervisor

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

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD) Public office hours Monday, Tuesday, Thursday, and Friday 8 am - 5 pm Wednesday 1 pm - 5 pm **We will not be closed during lunch hour **

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

From: Niki Benyakhlef < Niki.Benyakhlef@itd.idaho.gov>

Sent: Thursday, May 1, 2025 7:11 AM

To: Dan Lister < Daniel. Lister@canyoncounty.id.gov> Cc: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>

Subject: [External] RE: Agency Notice of CU2024-0014 / Nampa Paving/Wood

Good Morning, Dan -

ITD still has not received requested documents for this application. Please see attached response to the initial agency notification.

Thank you!



Niki Benyakhlef **Development Services Coordinator**

District 3 Development Services

O: 208.334.8337 | C: 208.296.9750 Email: niki.benyakhlef@itd.idaho.gov

Website: itd.idaho.gov

From: Caitlin Ross < Caitlin.Ross@canyoncounty.id.gov>

Sent: Monday, April 28, 2025 9:56 AM

To: 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com'; 'krantza@notusschools.org' <krantza@notusschools.org'; 'Irichard@cityofcaldwell.org' < lrichard@cityofcaldwell.org; 'aperry@cityofcaldwell.org' aperry@cityofcaldwell.org; 'aperry@cityofcaldwell.org' aperry@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' <<u>brandy.walker@centurylink.com</u>>; 'eingram@idahopower.com'' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; arobins@idahopower.com' <arobins@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com'; 'monica.taylor@intgas.com';

jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com'

<Contract.Administration.Bid.Box@ziply.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'drain.dist.2@gmail.com' <drain.dist.2@gmail.com';

'bryce@sawtoothlaw.com' <bryce@sawtoothlaw.com>; 'projectmgr@boiseriver.org' ctmgr@boiseriver.org

'scott sbi@outlook.com' <<u>scott sbi@outlook.com</u>>; 'gis@compassidaho.org' <<u>gis@compassidaho.org</u>>; D3

Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf

<Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar



J-U-B COMPANIES





J-U-B ENGINEERS, INC.

February 20, 2025

Canyon County Development Services Department Attn: Joshua Johnson, Planner 111 North 11th Ave, Suite 310

Caldwell, ID 83605

Phone: (208)614-5030, Email: joshua.johnson@canyoncounty.id.gov

RE: Case No.: CU2024-0014, Nampa Paving, Conditional Use Permit Application Review

Dear Joshua,

On behalf of Golden Gate Highway District No. 3 (GGHD), J-U-B Engineers, Inc. has reviewed the subject Conditional Use Permit Application for property owned by the Flenniken Christie J 2003 Revocable Trust located directly to the east of 31377 Boise River Rd, Caldwell, ID 83607. The property includes Parcel #R35953010 (~38 acres) and is in the NE quarter of Section 4, T4N, R4W, BM, Canyon County.

The application requests a Conditional Use Permit to allow long-term mineral extraction with crushing and sorting for up to 15 years on Parcel #R35953010. The property is zoned Agricultural "A". Access to the site will be from the northwest corner of the property utilizing an existing access location on to Boise River Rd. Approximately 15 employees are anticipated during peak operations. 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:

- Section 3110.010 Traffic Impact Studies of the 2022 Association of Canyon County Highway
 Districts Highway Standards & Development Procedures (ACCHD Standards) states a Traffic
 Impact Study (TIS) is required for rural developments if the Peak Hour Trips and Average Annual
 Daily Trips exceed 50 and 500, respectively. If a project has special circumstances associated
 with it, the District may require a TIS even if the aforementioned criteria are not met. Based on
 the proposed uses for a mineral extraction operation and data provided, a TIS is not warranted.
- A Pavement Analysis and Improvements/Reconstruction Recommendations prepared by a registered licensed professional Idaho engineer are required for Boise River Rd from the proposed extraction site east to Ode Ln. A scoping meeting with GGHD for the analysis is required.
- 3. An **Approach Permit Application** is required to be submitted, and the proposed access is required to be constructed in accordance with <u>Standard Drawing ACCHD-106 Commercial & Multiple Residential Approach</u> of the ACCHD Standards.
- 4. If the minimum driveway spacing requirement (330 feet) of <u>Section 3061.020.A Rural Roadway</u> Driveway Spacing of the ACCHD Standards cannot be met, a **Variance Application** is required.
- 5. 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



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

February 20, 2025

RE: Engineering Review of Conditional Use Permit (CUP) Requirements – Case No. CU2024-0014 Mineral Extraction Request on Parcel R35953010

Dear Josh,

Thank you for notifying us of the application for the Conditional Use Permit, Case File #: CU2024-0014. The Engineering Department has reviewed the proposal and wishes to highlight the following key requirements, particularly related to the site's location within the Flood Zone AE floodplain:

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

Conditions of Approval for CU2024-0014:

- 1. A Floodplain Development Permit (FDP) shall be issued prior to the commencement of any extraction activities. Upon completion of mineral extraction and reclamation, an approved Letter of Map Revision (LOMR) shall be provided to Canyon County Development Services.
- 2. All required outside agency approvals shall be included with the floodplain development permit application. An approved Conditional Letter of Map Revision (CLOMR shall be submitted to the County Floodplain Manager.
- 3. An approved Letter of Map Revision (LOMR) is required prior to the abandonment of the mineral extraction project.
- 4. An evacuation plan must be provided, indicating where stored equipment and portapotties will be relocated in the event of flooding.



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

Additional Note:

Please be advised that DP2024-0032 has not yet been approved. The FDP must be completed with all required sections. Approval from the Idaho Department of Water Resources (IDWR) and the Idaho Department of Lands (IDL).

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

Sincerely,

Dalia Alnajjar

Engineering Supervisor Canyon County Development Services P(208) 454-7459 F(208) 454-6633

E: dalia.alnajjar@canyoncounty.id.gov

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.

FLOOD CONTROL DISTRICT #11

215 E. Main St

Parma, ID 83660

(208) 722-2014

To Whom it May Concern,

This letter is to confirm FCD #11's acceptance of the proposed flood mitigation plan created by Manning Civil, dated May 13, 2025 for the project known as the "Christina Wood Pit".

Manning's plan includes a No-Rise Certification for the project to show no adverse effect would take place in a 100-year flood event.

Signed by Commissioner:

im Thorpe



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

February 13, 2025

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

Re: CU2024-0014: Directly east of 21377 Boise River Road, Caldwell; Nampa Paving (~40-acres)

Dear Mr. Johnson,

The Floodplain Development Permit application is incomplete. The application is not signed. Items B., C., D. F.2., F.3. MUST be completed.

The long-term mineral extraction (including aggregate processing equipment, gravel mining, crushing, screening, sorting, blending, washing, stockpiling operations, dewatering trench, a scale, perimeter berms, equipment maintenance and storage, chemical, petroleum and waste storage, porta-potties, facility access road, etc.) proposed directly east of 21377 Boise River Road, Caldwell, parcel R35953010, on 39.92-acres 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 the 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 & porta-potties will be relocated to in the event of flooding.



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) <u>Notify, in riverine situations, adjacent communities and the State Coordinating Office</u> 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) <u>Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;</u> (*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 Al-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]

Should you have any questions, please do not hesitate to contact Peter Jackson at (208) 287-4973 or through email at peter.jackson@idwr.idaho.gov or me at (208) 287-4928, or through email at maureen.oshea@idwr.idaho.gov

Thank you,

Maureen O'Shea, CFM Floodplain Specialist

Maureen TO'Shea

Cc via email:

Dalia Alnajjar, Floodplain Administrator Jay Gibbons, Interim Director File



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



Brad Little, Governor Jess Byrne, Director

May 5, 2025

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

Subject: Agency Notice of CU2024-0014 Nampa PavingWood

Dear Mr. Lister:

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

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

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and 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 the potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for planning development and implementation.

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

3. DRINKING WATER

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

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

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4. SURFACE WATER

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

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

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- Solid Waste. No trash or other solid waste shall be buried, burned, or otherwise disposed of at
 the project site. These disposal methods are regulated by various state regulations including
 Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and
 Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the
 Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also
 defined in the Solid Waste Management Regulations and Standards
- Hazardous Waste. The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- Water Quality Standards. Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material released to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

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• 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

my 6 Swith

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EXHIBIT E

Public Comments

Dan Lister

From: Jim C. <j01150126@gmail.com> **Sent:** Monday, March 3, 2025 9:49 PM

To: Canyon County Zoning Info; Joshua Johnson

Subject: [External] Fwd: Conditional Use Permit Case CU2024-0014

------ Forwarded message ---------From: **Jim C.** <<u>j01150126@gmail.com</u>> Date: Mon, Mar 3, 2025, 19:33

Subject: Conditional Use Permit Case CU2024-0014

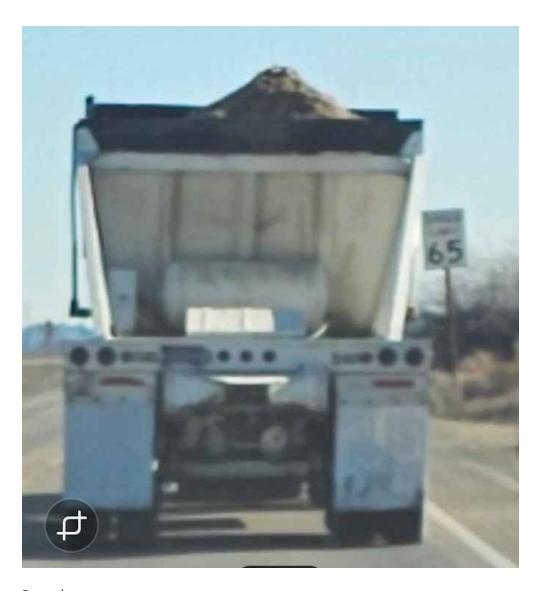
To: < joshua.johnson@canyoncount.id.gov >

Dear Mr. Johson,

I am a resident that lives in Notus. We already have safety issues with the 3 gravel pits in our surrounding area that use 20/26 to I84 daily. In April we already had one fatality with a gravel truck. Two dead in head-on crash near Notus

The gravel trucks regularly disobey the law by not covering their vehicles. When we complain to Mayor Porterfield he notifies the company and the police and they are good for about 2-3 weeks then start uncovering all over again. The citizens of Notus do not want more gravel trucks running down that highway; it's dangerous and a menace to the public. According to statute 6 inches of freeboard must be maintained. The highway from Notus to the exits is 6 miles. This is ridiculous, we don't need to make it worse. I understand people have a right to make money but not when it directly affects others safety and lives.

https://legislature.idaho.gov/statutesrules/idstat/Title49/T49CH6/SECT49-613/



Regards,

James Connor Cell: 208-614-8395 603 Notus Road Notus, ID 83656

Dan Lister

From: John Hamilton <jshamiltonconstruction@gmail.com>

Sent: Sunday, May 4, 2025 9:46 AM

To: Dan Lister

Subject: [External] Re: Land Hearing Comment: CU2024-0014 Nampa Paving/Wood 21337 Boise

River Rd

I apologize, the address referenced in my previous email is actually 21377 Boise River Rd. Thank you



On Sun, May 4, 2025 at 9:40 AM John Hamilton < <u>ishamiltonconstruction@gmail.com</u>> wrote: Good morning Daniel,

As you can see by the subject line, this email and attachment pertains to the Material Extraction Plant proposed permit CU2024-0014 by Nampa Paving/Wood at 21337 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 6/2 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

*ENTIRE AREA IS +/- 20,000 ACRES

*OLD, EXISTING OR POTENTIAL MATERIAL EXTRACTION/READY MIX SITES IS +/- 5,000 ACRES (AS OF 5/20/24)

***25% OF THE AREA IS OR HAS BEEN MATERIAL EXTRACTION OR READY MIX SITES ***

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/silcadust-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=Exce_ssive%20instream%20sand%2Dand%2Dgravel,may%20lead%20to%20ba_nk%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!

Ronald & Joanna Lysinger 21124 Boise River Rd Caldwell, ID 83607 engl6162@gmail.com

May 19, 2025

Canyon County Development Services Department 111 North 11th Ave., Suite 310 Caldwell, ID 83605

Case No. CU2024-0014 Attention: Dan Lister

Dear Sirs,

My husband and I own our property at 21124 Boise River Rd, Caldwell. We are one of the two houses that will be most affected by the CUP-Nampa Paving (Case No. CU2024-0014). We live directly across the road from the proposed parcel. We are adamantly against this request for another mineral extraction facility along Boise River Rd. We are adamantly against the proposed business's days and hours of operation.

There were two neighborhood meetings for this proposal. We received notice and attended the first meeting held June 20, 2023(pg 56/102). We *did not* receive notice of the second meeting, nor was on the list to be notified of the meeting set for May 14, 2024 (pg 52-53/102 of Co packet). We were told at the first meeting- June of 2023, that the extraction area would be in the back half of the property, not the entire 40 acres. This was because the owners wanted to have the ability to put in a few small acre plots for future family homes that would sit North to South and the pit would run East to West. We were also told that this facility would only be open Monday through Friday with an occasional weekend due to a "Asphalt Hot Mix" facility in addition to the extractions. This meeting left the impression that the berm would still be set up along Boise River Rd, and that the activity of the pit would be from the midpoint of the property to the south side. We've received notice from the county and in the application package that 38 acres out of 40 will be extracted. It seems disingenuous that we received no additional information about another neighborhood meeting or the changes made afterwards.

The proposed operations are 7:00am-7:00pm Monday through Saturday with an occasional Sunday(pg 7/102). This changed from their original Land Use Worksheet (pg 99/102) and what was told at the first neighborhood meeting. This is an egregious departure from normal and courteous rural operations. The closest pit to us, Sunroc, is not open past 5:00pm Monday through Friday. Casually observing other pits in the area, none of them operate on the hours that Nampa Paving is requesting. We wholeheartedly oppose Sunday operations. Sunroc, Gator, Idaho Materials, Thueson, Quality Sand, and Rambo are all publicly listed on Google Maps for hours of operations between 7:00am-7:30am until 4:30pm Monday through Friday. This seems reasonable, as we drive by all of these locations on a daily basis. If Nampa Paving requests a starting time of 7:00am, then there should be no sound, including the start up of equipment until 7:00am. If this CUP is to pass, then they should NOT be open past 5:00pm and not open on weekends, period!

We have lived on Boise River Rd for 6 years and we are fully aware of the numerous gravel pits in the area. Our immediate neighbor is SunRoc- Notus Pit. We can attest fully to the nuisance of gravel pits; the noise, dust, back-up beepers, LED lights, and the speed at which the trucks drive along Boise River Rd. With the addition of

Nampa Paving, it only adds to the danger of the road in regard to the speed at which the trucks will be at when they reach our house. Boise River Rd should be posted with reduced speeds because of the increase in truck traffic. It is terrifying how fast and heavy those trucks are driving down the road. There is no mention of the damage or possible fatality a gravel truck at that speed would cause if a pet or child were hit by them. Boise River Rd is extremely unsafe! The road itself is in a constant state of repair between Ode Ln and our house because of the abuse the small road takes from the trucks. The patch jobs to the shoulders and pot holes plus regular chip sealing are hardly adequate and nearly futile with the current traffic.

Nampa Paving must be held accountable for controlling the dust this pit will produce, as well as the physical maintenance of the roadside berms. The berms along Boise River Rd should be the maximum height that the county requires. If they are to have LED lights on the property, they should take care not to face any house within the area, only lighting up the pit itself.

Light pollution and noise pollution are a compounding problem. If we are not deliberate in mitigation in every way we will be doomed to be living in an industrial zone surrounded by only adjacent eye sores.

As cattle ranchers, we find it disheartening that another field is becoming a gravel pit. If a property is listed as 'irrigated pastureland' it should not be an obtainable option for a CUP-business that is not related to agriculture in any way, shape, or form. Mining extraction ruins the land, the water, and the wildlife habitats!

Thank you for your time and consideration of a Boise River Rd resident's concerns.

Sincerely,

Ronald A. Lysinger

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