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



Brad Little, Governor Jess Byrne, Director

April 28, 2025

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

Subject: Agency Notice for SD2024-0005 Walker Hills

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 new development projects, all property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

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

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

3. DRINKING WATER

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

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

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity. For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate the best construction management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <u>https://idwr.idaho.gov/streams/streamchannel-alteration-permits.html</u>
- 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.

• **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,

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Troy Smith Regional Administrator

Dan Lister

From:	Tony Almeida
Sent:	Thursday, April 24, 2025 9:58 AM
То:	Dan Lister
Subject:	SD2024-0005 & RD2024-0018 Walker Hills Prelim. SD

The private road application has "Sparkys Ln", which is already in use. The preliminary plat has "Sparkys Ridge", which is ok but they need a road type, St, Dr, etc. We need to verify if they want to use Sparkys Ridge Rd or St.

Tony

From: Daniel Lister via monday.com <notifications@monday.com>
Sent: Tuesday, April 22, 2025 1:31 PM
To: Tony Almeida <tony.almeida@canyoncounty.id.gov>
Subject: [External] [You're assigned] SD2024-0005 & RD2024-0018 Walker Hills Prelim. SD

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Daniel Lister assigned you to SD2024-0005 & RD2024-0018 Walker Hills Prelim. SD

Current Planning - Hearings Application Assignment



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Dan Lister

From:	Bradbury, Allen <allen.bradbury@idwr.idaho.gov></allen.bradbury@idwr.idaho.gov>
Sent:	Wednesday, June 26, 2024 3:26 PM
То:	Emily Kiester
Cc:	Storms, Scott
Subject:	[External] RE: Preliminary Plat (Walker Investments) - Water Right Question
Attachments:	63-7156D_irr_Map.png; 63-35419_irr_Map.png; 63-35420_irr_Map.png;
	63-3597F_irr_Map.png

Dear Ms. Kiester,

To answer your question, I'll give a little background. Transfer No. 88597 for Walker Investments was received by IDWR on July 12, 2023. The purpose of the transfer was to change the point of diversion for water right numbers 63-35419 and 63-35420 to a new well to serve an HOA pressurized irrigation system for six residential lots. Water rights 63-35419 and 63-35420 are decreed rights both decreed on 2/6/2009. Also, there are two additional rights 63-3597F, 63-7156D overlapping this property.

IDWR has statutory jurisdiction to consider forfeiture in certain administrative matters which require an injury analysis, such as in water right transfer applications pursuant to Idaho Code§ 42-222. Since the transfer proposed a change to these water rights Walker Investments would be subject to a comprehensive forfeiture analysis. According to Idaho Statute 42-222, if appropriated water is not put to beneficial use any right to the use may be lost through nonuse or forfeiture and the water will revert to the state and be again subject to appropriation.

A quick review using aerial photography and remote sensing tools from satellite imagery in 2016 to 2023 revealed that the areas described in transfer may be subject to forfeiture. This situation initiated the information request attached to your email. That letter requested evidence of irrigation use to continue processing of the transfer application or a defense to forfeiture as outlined in section §42-223, Idaho Code. The third option was to withdraw the transfer. Walker Investments chose to withdraw the transfer application on December 18, 2023.

To answer your question about forfeiture, the withdrawal of the transfer avoided a comprehensive forfeiture analysis. Therefore, these rights continue to be valid water rights and have not been forfeited. This also means that this property could resume use of those water rights for the purpose of irrigation.

Please contact me, if you have any additional questions.

Allen Bradbury



Allen Bradbury | Water Resource Agent, Sr. IDWR-Western Region | 208.334.2190 allen.bradbury@idwr.idaho.gov

From: Emily Kiester <Emily.Kiester@canyoncounty.id.gov>
Sent: Tuesday, June 25, 2024 4:17 PM
To: Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Subject: FW: Preliminary Plat (Walker Investments) - Water Right Question

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.

Dear Mr. Bradbury,

Our office has received an application for a preliminary plat for Walker Investments.

In the attached letter, it shows you had correspondence with Mr. Walker on forfeiture of water rights. Have these water rights been forfeited? Or is there any update on your end from the applicant?

The only other information they gave us is stating there is water rights available, and they are working with IDWR on the location of the irrigation well with your department.

I am checking with you, as we need to check there is an actually irrigation water available for the irrigation plan they turned in.

Thank you for your time,



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

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

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

Dan Lister

From:	Anthony Lee <anthony.lee@swdh.id.gov></anthony.lee@swdh.id.gov>
Sent:	Friday, April 25, 2025 8:32 AM
То:	Dan Lister
Subject:	[External] RE: Agency Notice for SD2024-0005 / Walker Hills

Hi Dan,

- 1.) Will a Nutrient Pathogen Study be required? The development is NOT in a designated Nitrate Priority Area (NPA) and does not require a Nutrient Pathogen Study.
- 2.) Will adequate sanitary systems be provided to accommodate the use? Test holes have not been conducted, and septic systems have not been proposed for each lot.
- 3.) Any concerns about the request? If so, are there any conditions or improvements recommended? The applicant/developer must schedule a pre-development meeting with SWDH to discuss the details of this project.

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: Thursday, April 24, 2025 10:07 AM

To: 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org; 'gony.titus@vallivue.org>; 'johnsonrl@nampafire.org' <johnsonrl@nampafire.org' <johnsonrl@nampafire.org' <johnsonrl@nampafire.org' <johnsonrl@nampafire.org' <johnsonrl@nampafire.org'; 'gonsonrl@nampafire.org' <johnsonrl@nampafire.org>; 'gonsonre@nampafire.org' <johnsonre@nampafire.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'eddy@nampahighway1.com' <eddy@nampahighway1.com>; 'eingram@idahopower.com' <eddy@nampahighway1.com' <eddy@nampahighway1.com>; 'easements@idahopower.com' <easements@idahopower.com' <issica.mansell@intgas.com' <jessica.mansell@intgas.com' <issica.mansell@intgas.com' <issica.mansell@intgas.com' <issica.mansell@intgas.com' <contract.Administration.Bid.Box@ziply.com' <contract.Bol.Kiester@bolseproject.org' <gashley@bolseproject.org'; Mitch Kiester < https://witch.kiester@bo

Crawforth <Brian.Crawforth@canyoncounty.id.gov>; christine.wendelsdorf@canyoncounty.id.gov; Michael Stowell <mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'brandon.flack@idfg.idaho.gov' <brandon.flack@idfg.idaho.gov>; 'laura.j.freedman@usps.gov' <laura.j.freedman@usps.gov>; 'Rakesh.N.Dewan@usps.gov' <Rakesh.N.Dewan@usps.gov>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>; 'edward_owens@fws.gov' <edward_owens@fws.gov> **Subject:** Agency Notice for SD2024-0005 / Walker Hills

CAUTION: This email originated outside Southwest District Health's network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact IT with any concerns.

Please see the attached agency notice. You are invited to provide written testimony or comments by **May 25, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

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

Thank you,



Caitlin Ross Hearing Specialist Canyon County Development Services Department 111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-7463 Email: <u>Caitlin.Ross@canyoncounty.id.gov</u> Website: <u>www.canyoncounty.id.gov</u>

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

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May 8, 2025

Re: SD2024-0005

Dear Canyon County Planning and Zoning,

If the application is approved, the students would attend West Canyon Elementary, Vallivue Middle School, and Vallivue High School.

Currently, the surrounding schools can accommodate such a small development. The district's main concern is with large swaths of land approved for major developments that could compromise the district's overall capacity to provide appropriate services over the next ten years.

Sincerely,

Joseph Palmer Assistant Superintendent



WALKER INVESTMENT TRUST 4718 EAST GOLDSTONE DRIVE MERIDIAN, ID 83642 (602) 432-6474





Professional Engineers, Land Surveyors and Planners

924 3rd St. So., Suite B, Nampa, ID 83651 Ph (208) 454-0256

e-mail: wmason@masonandassociates.us

June 4, 2025

Canyon County Development Services Attn: Dan Lister 111 North 11th Avenue #310 Caldwell, ID, 83605

Re: Walker Hills Subdivision Review #1

Mr. Lister:

Mason & Associates, Inc has updated the Preliminary Plat to address Canyon County Development Services and Engineering review comments. The following information is in response to the Engineering Review for Walker Hills Subdivision.

Identification and Descriptive Data

- 1. The title block year has been changed from 2024 to 2025.
- 2. Basis of bearing has been listed as Lewis Lane.

Proposed Conditions Data

- 1. Sparkys Ridge is now listed as Sparkys Ridge Drive.
- 2. Cul-De-Sac has been updated to have a 70 foot radius.
- 3. Curve Table has been added.

Please let me know if you have any questions or need additional information.

Sincerely,

Mian J. Masn

William J. Mason, P.E. Mason & Associates, Inc.