

**From:** Flack, Brandon <brandon.flack@idfg.idaho.gov>  
**Sent:** Wednesday, August 20, 2025 4:04 PM  
**To:** Mark Young <mark@k2excavation.org>; Cynda Herrick <cherrick@valleycountyid.gov>; Berkley, Regan <regan.berkley@idfg.idaho.gov>  
**Subject:** Re: SUB 25-013 Eld Ranch Estates – Appeal of PZ Commission Approval

Hi Mark,

For your information and as an update to our previous email, we received a report about a bald eagle nest very close to the Eld Ranch Estates property. I spoke with the reporting party who gave me a good idea where the nest tree is located. I have asked one of our wildlife biologists if he can go take a look and verify the nest location. He will probably not be able to do that until next week.

The reported nest tree is generally located near the northeast corner of the Eld Ranch Estates property, near the property line with the Simpco Lands property on Laffinwell Creek. I know you are not planning to develop that area for a while but think it is a good idea to get this on your radar now since eagles show high site fidelity to their nest sites and return to the same nest year after year. As I described in our previous email yesterday, eagles are protected under the federal Bald and Golden Eagle Protection Act. Eagle nests may not be disturbed or destroyed, even outside of the nesting period when eagles are not present. Federal regulations define disturb as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (50 CFR 22.6).

Enforcement of this law is the responsibility of the U.S. Fish and Wildlife Service (USFWS). We recommend that you contact the local USFWS office to discuss the options that area available to you. The USFWS Boise office number is 208-378-5243.

I can provide you with an update once our biologist has gone out to the reported location.

Thanks,

**Brandon Flack**  
Regional Technical Assistance Manager  
Idaho Dept. of Fish and Game  
Southwest Region  
15950 N. Gate Blvd.  
Nampa, ID 83687  
Ph: (208) 854-8947



From: Lane & Tia Young  
324 Barker Ln. Donnelly, ID 83615

Owner in Simpco Estates

To: Cynda Herrick,  
Valley County Planning and Zoning Director  
PO Box 1350  
Cascade, ID 83611  
208-382-7115  
[cherrick@valleycountyid.gov](mailto:cherrick@valleycountyid.gov)

In the Matter of: Eld Ranch Estates (File# SUB 25-013); Appeal of PZ Commission Approval of SUB 25-013 ELD Ranch Estates Subdivision.

The proposed project of Eld Ranch Estates is to;

- The current proposal is for approval of phase I of a potential 8 phase development.
  - Conditional use permit for single-family residential
  - 54 acres; 20 buildable lots, 2 common spaces
- Individual septic systems and wells are proposed.
- 70 ft wide road right away for Gold Fork Road and paved road.

The reasons for appeal by Simpco Homeowners association are the inadequacies of planning and zoning consideration for public safety, Federal and State guidelines and laws;

1. ADA uncompliant roads and intersections
2. Inaccurate sentences for descriptions
3. Inaccurate Ameri Title Public Record Report
4. No record of diligences to said statements

We request Eld Ranch Estates omit any and all articles, maps, and language pertaining to phases 2 though 8, including any and all language of the potential of an 8 phase development. Resubmit a request for a subdivision of said 54 acres with 20 buildable lots of 1.5 to 4.0 acres to be wells and septic systems. We also request that Valley County comply with ADA regulations and state planning requirements by conducting a road impact study prior to making a decision of approval.



#### Reason #1: ADA noncompliant roads and intersections

1. Out-dated testing of traffic impact studies and volume for Gold Fork Road given the allowances of occupation/ land parcels approved for buildable single-family homes to the area. An impact study is required along side the County's approval of compliances to approve this development. This is not met.
2. No Speed Limit signs on entire Gold Ford Rd.
3. No corner warning signs on major blind corners that comply with speed limit requirements.
4. No School Bus Stop signage on entire Gold Fork Rd.
5. Improper intersection signage on Gold Fork Rd and numerous locations. See appendix for pictures and descriptions.
6. A written and approved plan by the Valley County Road Department that includes costs associated to improve roads impacted by traffic from Eld Ranch Estates and obtain compliance for such a development to be approved. Roads and intersection in which should be required to be considered but not limited to are; Gold Ford Rd intersection at the bridge, Gold Fork Ln, Barker loop, Zoon Ln, Barker Ln. As seen in the appendix, these roads to no currently have adequate stop signs, intersection signs, turn warning signs, speed limits, school bus stops, etc., and are required by law prior to approval and/ or the start of construction.

We'd request omittance of future phases and road requests due to lack of compliance and planning. See appendix for supporting descriptions and images. Future phases and or roads other than that necessary for phase 1 should be omitted from this proposal for approval. A secondary road access is not needed and if it were to be considered upon the approval of future phases, proper due diligences would have to met for public safety. Not complying with such diligences prior to approve can result in penalties and legal action upon Valley County through State and Federal agencies in which would ultimately harm all Valley County tax payers. The second phase proposed road would add an additional mile of drive distance though steep grade elevation changes. This road has no merit or value to any lot in Eld Ranch Estates and only increases the risk of automobile accidents in poor weather conditions which are common to the area. Automobile accidents within 5 miles of peoples residences are one of highest causes.



#### Reason #2: Inaccurate descriptions and sentences

On Page ; Section 12; paragraph 2; it states that “Most lots are located above the main road and will have some visibility to various adjacent neighbors. The rough total of adjacent neighbors’ which development will be visible is 4”.

This statement is highly inaccurate. See appendix for supporting pictures. It is clear Valley County has not actually confirmed said statements by Eld Ranch Estates LLC and taken them at good faith and their word for factual content. This is one of many in which can be shown.

The fact is, even phase 1 of the proposed development will impact the view of 20+ local residents. In some cases, dramatically infringing on their privacy and environmental surrounding such as sound and lights as the area has no surrounding trees or elements to block out the increased disturbance.

#### Reason #3: Inaccurate Ameri Title Record Report

Order No. 661266AM; Page 2 of 6; Public Record Report; Effective Date: November 25, 2024; Section A states, “The land referred to in the public record report is **located in the County of Valley, State of Oregon**, and is described below as follows:”

Valley County, State of Idaho should not approve a proposal for a development on this basis. Furthermore, phase I as described in the Eld Ranch Estates proposal should be required to be described as a Parcel number(s) in which that match the documentation of Ameri Title Record Report. This is currently not under compliance and leaves their proposal of such land proposed developable lots/ parcels/ roads vague and ambiguous. Give the accuracy of the Ameri Titles report description, the 54 acres proposed should be defined by Parcels 1-3: Eld Ranch Investments LLC. Parcels 4 – 5 are owned by a Trust, demonstrating the inaccuracy of their development proposal the reason in which phases 2 through 8 should be omitted.

The accuracy of the entire Ameri Title report needs to be verified and corrected prior to Valley County’s Approval of this development.

#### Reason #4: No record of diligences to said statements

Eld Ranch Estates proposal references their diligence for many factors in which are required for the approval of a subdivision. However, Eld Ranch Estates has not provided adequate documentation to said claims nor have any of the local agencies been able to provide proof of such actions.

Valley County should require proof of all said claims by accredited local, state and federal agencies. Below is a list of such claims and their inability to meet the requirements needed to be approved by Valley County;

1. Irrigation rights and water – portions of parcels listed do have water rights. These parcels should be omitted from the plan unless water rights have been removed through legal remedies.
2. Affect of future wildfire risk – 90% of wildfire is human caused. Subdivisions in highly flammable forested areas should be required to submit a formal wildfire mitigation plan. No plan was done, only general good practices were stated from online resources, and promised to consider such a plan if they are allowed to develop the remaining 7 phases.  
Simpco Estates is at extreme risk with subdivisions surrounding the land below. With directional prevailing winds and the geographical make up of the canyon, these subdivisions propose a substantial threat to human life.
3. Section 12.0 Idaho Fish and Game Eld Ranch Estates states that “We intend to incorporate his recommendation in our CCR’s. This is not a definitive statements. CCR’s should be required to be submitted prior to approval to ensure that the rules and regulation of the Idaho Fish and Game are met.  
Furthermore, Eld Ranch Estates makes reference to a recreational pond, timbered areas and common areas otherwise known as wetlands or water mitigation areas. The Idaho Fish and Game require legal water rights issued by the ‘Idaho Department of Water Resources’. Such documentation has not been provided. Until such documents are provided, the County should not approve this subdivision or any of its said ‘phases’. The property should be studied and surveyed for wetlands and have a water mitigation plan on file prior to approval.  
There are also numerous bird species that are federally protected potentially in jeopardy of losing their breeding and feeding grounds.
4. Impact on surrounding farming businesses – We ask that Valley County Planning and Zoning committee consider the best use of land occupied east of Highway 55. Recreation is on the West of highway 55. Use of land to the East is disruptive to traffic dangers entering and exiting Highway 55. It is also disruptive to one of our areas largest economic values, livestock production (primarily cattle). Valley County should consider putting in zoning regulations in which support the future growth and costs of said economic development. Disrupting land in which allow lease contracts and ranching businesses to easily move livestock from one area to another will dramatically increase the costs and viability of such businesses. These businesses also provide the said environment of Eld Ranch Estates “Nature-Centric

Lifestyle” in which adds value to our properties. Keeping farming and irrigation practices in place mitigates fire risk by keeping lands irrigated.

5. Well & Water testing was not done within the geographical required to meet said statements in the proposal. The reports submitted were from areas miles away utilizing completely different water basins and drainages. A local water table test would be required as the proposal states “Laughinwell Creek” runs through their development. This basin has it’s own aquafer in which supports the pond in their proposed development. This creek is powered by the aquafer’s spring upstream approximately 2 miles. The use of wells in the area could impact the direct local aquafer resulting in the spring head to dry up. This would impact on the pond the state owns, Simpco Estates owns, local wildlife, local water irrigation rights. A proper localized study of water in the area and use of wells is required to meet local, state, and federal guidelines.



Appendix:

Intersection of Gold Fork Rd and Barker Ln







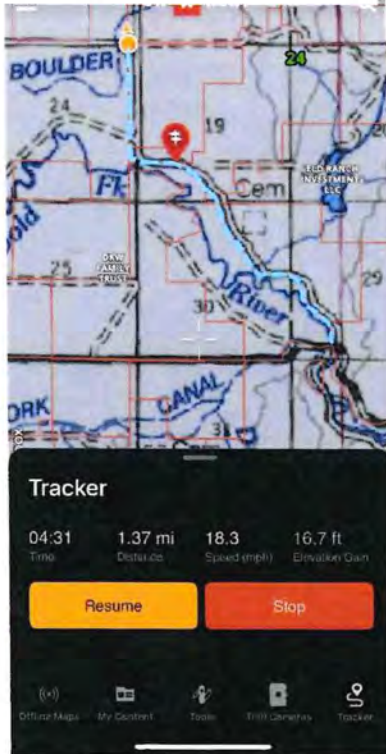
Barker Ln & Barker Lp Intersection above

Zoon Ln & Barker Lp. Intersection below

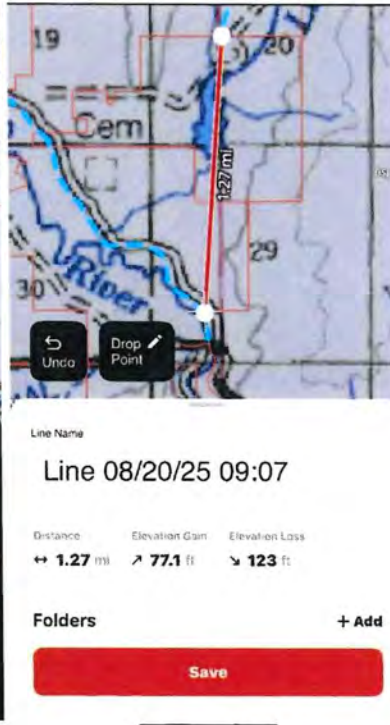




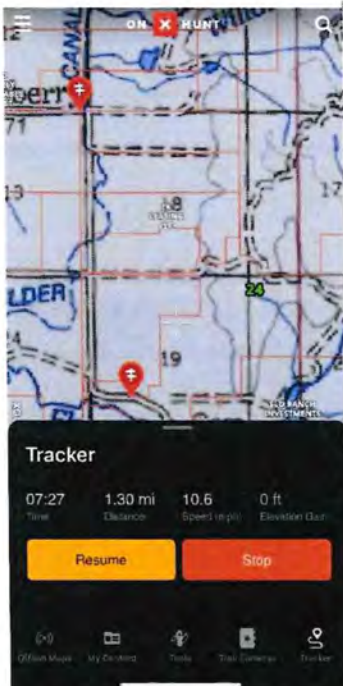
Entrance to Intersection of Gold Fork Rd & Barker Ln



Distance across development



Gold Fork Rd Bridge to Entrance

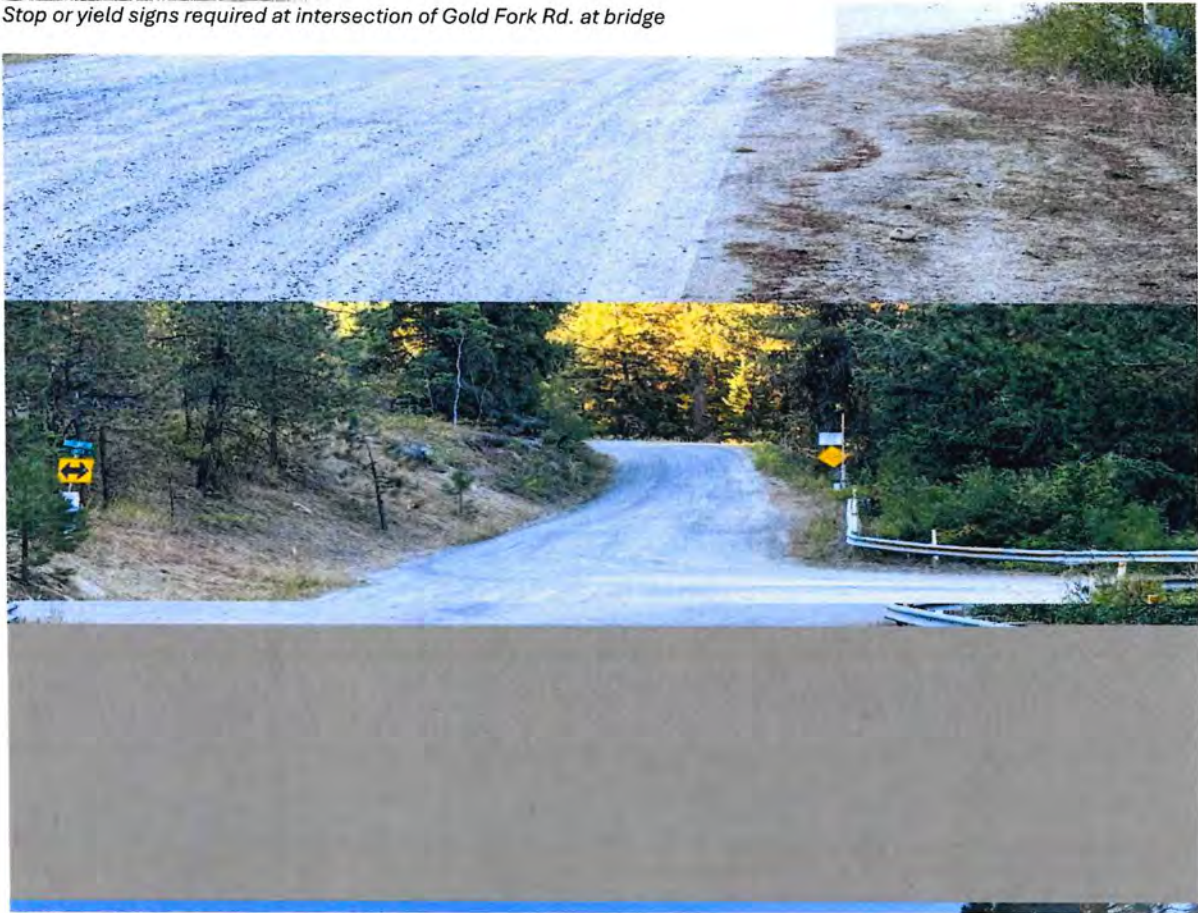


Proposed 2 road in phase 2 distance





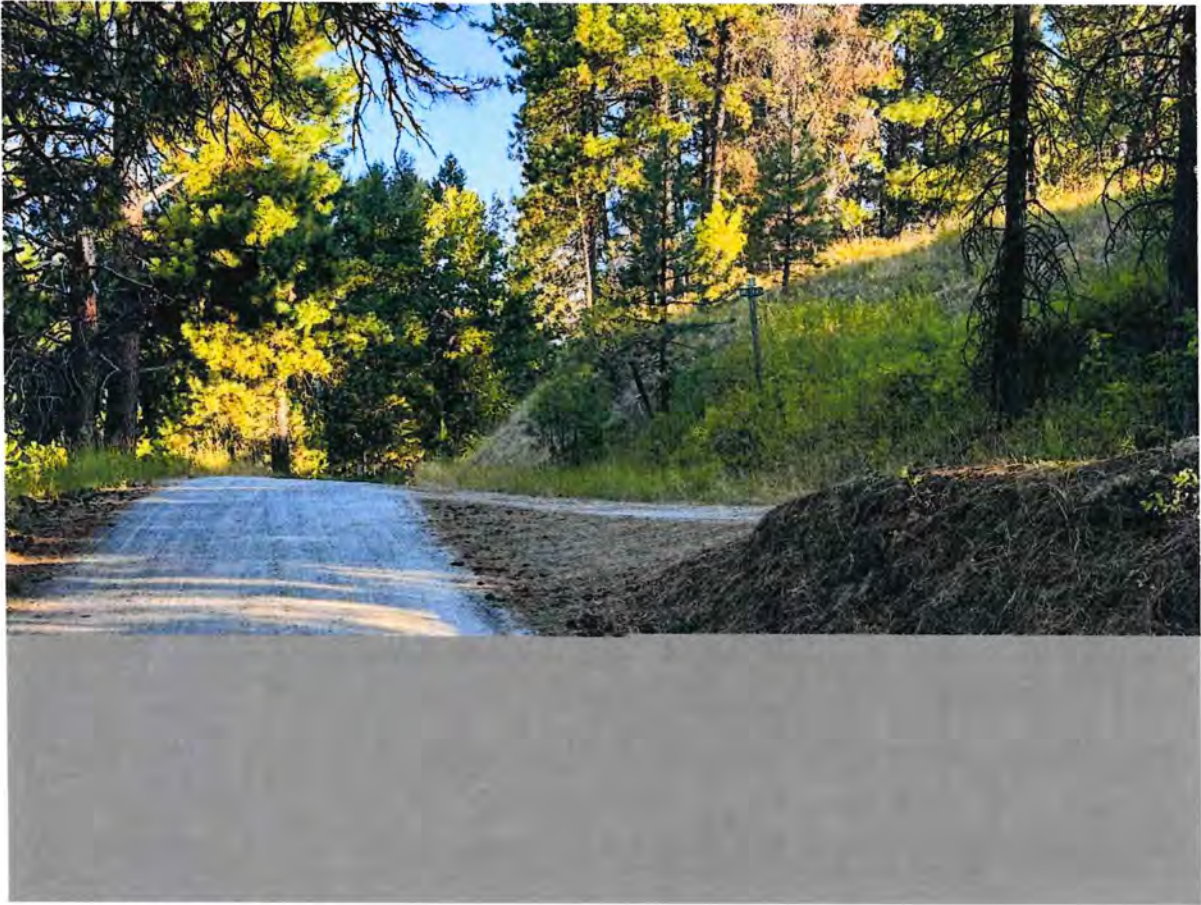
Stop or yield signs required at intersection of Gold Fork Rd. at bridge



Elk Ranch Estates no traffic signs







Cemetery Rd no signage

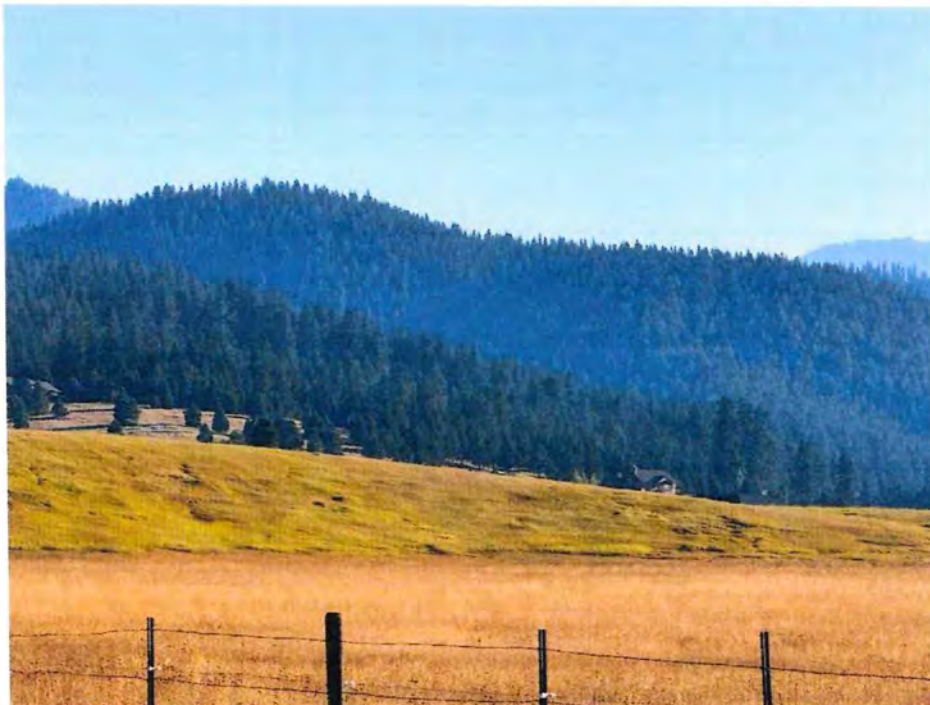


No intersection signs





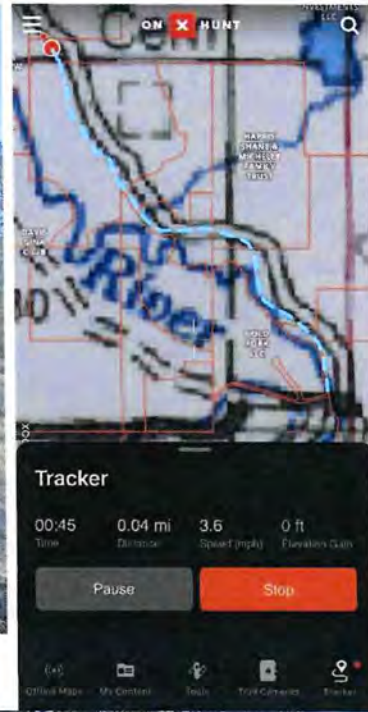
*Elk Ranch visible to Eld Estates and homes on roadway, no homes have been built yet.*



*27 lots of Simpco Estates will have views impacted by all phases of proposed Eld Estates. Some homes can be seen, most homes are out of plain sight view yet obtain direct views of what would become Eld Estates.*



*Inadequate distance to blind corner, no signage*



*Proposed Development Entrance*





Points Ranch Diamond P

P.O. Box [REDACTED]

Donnelly, ID 83615



8/20/25

Cynda Herrick

Planning & Zoning Director

P.O. Box 1350

Cascade, ID 83611

208-382-7115



Dear Director Cynda,

RE: opposition to Greater Good Investments LLC Housing Development

We are writing to express our strong opposition to the proposed housing development by Greater Good Investments LLC. As a local resident and cattle ranching family, we are deeply concerned about the impact this development will have on our community and environment.

The roads in question, Barker Lane, Farm to Market Road are already congested and pose safety risk, especially Farm to Market Road. Adding more traffic from the development will exacerbate these issues, making it hazardous for residents, commuters and ranchers like us who rely on these roads for cattle management.

Our family ranch operates year-round, and increased traffic will significantly hinder our ability to drive cattle to summer pastures and manage our livestock. This will not only affect our livelihood but also pose safety risks to our personnel and the traveling public.

Furthermore, the development will disrupt the natural migration patterns of the wild elk and deer populations, potentially harming the local ecosystem. As ranchers, we have a deep appreciation for the land and the wildlife, and we believe its essential to preserve their habitats.

We urge you to consider the long-term consequences of this development and prioritize the well-being of our community, wildlife and local business.

Thank you for your time and consideration.

Sincerely,

The Points Family





Mike and Ruth Johnson  
13025 Leland Drive  
Donnelly, ID 83615  
[REDACTED]

August 19, 2025

Cynda Herrick  
Valley County Planning & Zoning Committee  
PO Box 1350  
Cascade, ID. 83611  
[cherrick@valleycountyid.gov](mailto:cherrick@valleycountyid.gov)



Dear Members of the Valley County Planning and Zoning Commission

We are writing as a concerned resident of Valley County to formally express our opposition of the approval of SUB 25-013 ELD Ranch Estates Subdivision. We believe this project poses serious risks to our community, environment, and decade-old quality of life. The following is a short list of our concerns:

1. Traffic and Public Safety

The increased density resulting from the ELD Ranch Subdivision will impact the local traffic on Barker and Gold Fork Roads. Our current road infrastructure is not equipped to handle the additional volume. These roads were designed for local ranchers and farmers not additional cars, construction trucks, semi trucks, or other vehicles.

If this development is approved, it should be a requirement for the developers to improve these road conditions BEFORE any construction or infrastructure for ELD Ranch Subdivision has begun.

2. Inadequate Infrastructure

Before any further development is approved, the county should consider the impact on not only the roads, but water supply, sewer management, animal migration, schools, emergency services, and utilities. Will these services be able to support the additional demand? Developments should not outpace infrastructure capacity.

3. Water Resources

We are also concerned about the potential impact on our local water quality. The property to be developed, as well as much of the land in valley county, has been cattle ranches for decades. Before approving these types of developments, the County Planning and Zoning Committee needs to carefully consider the transition from decades old ranch land to residential housing. In phase one alone, the 20 lots will require 20 new wells and 20 new Septic systems. If this continues for the next 7 phases, how much will be taken away from our ground water table? This doesn't seem sustainable long term. Is there any planning in place for the large volume increase for water and septic demands? This is another example of what developers need to pay as part of their costs for developing thereby not negatively impacting Valley County Tax payers and your budget.

4. Light and Noise Pollution

Light pollution from this development will degrade the natural character of Valley County and negatively affect both human and animal life. Similarly, noise pollution from construction and added traffic will reduce the quality of life for all residences.



**From:** Gayle Eaton [REDACTED]  
**Sent:** Thursday, August 21, 2025 2:27 PM  
**To:** Cynda Herrick <cherrick@valleycountyid.gov>  
**Subject:** Eld Ranch

My name is Gayle Eaton. My husband, Larry, and I built in Simpco Estates 22 years ago. To say that things have changed radically in Valley County in that time is an understatement. I realize that things do change, some for the better, others for the worse. The influx of people and development have brought many challenges. Even though I have been told that writing these kinds of letters have little to no effect, I believe that P&Z desire our input so thank you in advance for reading and considering this.

We naturally have concerns about the impacts to wildlife which is a source of part of Valley County's great environmental wealth. But of much greater concern are the impacts of density, traffic, and water if Eld Estates is approved.

1. Density: As noted by a Rick Avila, density of Phase One is almost 2x the density of Simpco. Simpco: 47 possible buildable lots on 216 acres which also includes community plots and roads. Eld Estates: 20 buildable lots on 54 acres.  
That's putting a whole neighborhood in just Phase One next to our rural and spread out community.
2. Traffic: There are serious Traffic and commuting concerns proposed- specifically a road that has no traffic lines, the dangers of construction and other utility vehicles and services required to maintain the new proposed HOA. Do they plan for sidewalks, street signs and intersections? They plan to use SIMPCO Estates as a secondary exit for their properties, stating it would be "beneficial" for both communities. How is using Zoon lane, Leland Lane, Barker Lane as a route for SIMPCO Estates to exit through ELD Ranch Estates beneficial to any of us in SIMPCO Estates? That's absurd. ELD Ranch using our community as an exit route will cause higher traffic flow for SIMPCO and a possible safety hazard in case of an emergency.
3. Water: We have a Concern that the number of homes planned will take away from the ground water table. Only one local (Donnelly- not necessarily close to area) well sample was used. The other samples provided were one each from Parma and Cascade and two samples from Nampa. These do not represent the ground water site area accurately. Their proposed water tower for fire protection could possibly effect Laffinwell creek. More appropriate data is needed. This creek feeds the state designated wetlands of the wildlife corridor. This could negatively impact the water table, the life of the wetlands and damage our property values. Unfettered growth and the impacts on our aquifers will have lasting and serious consequences. There will be great financial gains for developers, real estate businesses, and builders but at what cost?

There can be no zoning if there is no planning. Planning takes having a view towards the long term. Please study and consider the consequences seriously.

Thank you,  
Gayle Eaton  
Lot #1

Co-Owner,  
Jo Linda Finne





**From:** Kurt Stelling [REDACTED]  
**Sent:** Thursday, August 21, 2025 3:03 PM  
**To:** Cynda Herrick <cherrick@valleycountyid.gov>  
**Cc:** Michele Stelling [REDACTED]  
**Subject:** Eld Ranch Estates appeal to P&Z Commission

To whom it may concern,

We strongly oppose ANY future secondary access from Simpco Estates Subdivision. After witnessing first hand what could and WILL happen when construction traffic and new residents finds it easier to travel through our neighborhood rather than going around the long way, this will definitely disturb the peace and quality of life that our subdivision currently provides. Also, this new residential development would tend to disturb the migration of wildlife that use this land. Ground water is also a concern and should have a more thorough study performed to ensure ample supply for all residents in this area. It's possible a less densely populated development with larger lots would be more favorable but still oppose the secondary access from Simpco Estates.

Respectfully,  
Kurt and Michele Stelling  
Property owner, Simpco Estates





**From:** Flack,Brandon <brandon.flack@idfg.idaho.gov>  
**Sent:** Monday, August 25, 2025 11:00 AM  
**To:** Mark Young <mark@k2excavation.org>; Berkley,Regan <regan.berkley@idfg.idaho.gov>; Cynda Herrick <cherrick@valleycountyid.gov>  
**Subject:** Re: SUB 25-013 Eld Ranch Estates – Appeal of PZ Commission Approval

Hi Mark,

This webpage has a lot of information about the law: <https://www.fws.gov/law/bald-and-golden-eagle-protection-act>

You are not doing anything in phase 1 that would be concerning, in my opinion. But, as the phases progress, it may get to the point where disturbance from construction activities could cause "take" which the law defines as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or **disturb**." Federal regulations further define "disturb" as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) **a decrease in its productivity**, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) **nest abandonment**, by substantially interfering with normal breeding, feeding, or sheltering behavior"

So, if your actions to develop the parcels cause the eagles to abandon their nest site, that is considered "take" and you could be cited for that, even though the nest is not located on your property. That is why we encourage you to coordinate with the USFWS well in advance so they can let you know if a take permit is required and what that process entails. You will have to contact them to work through that.

Hope that's helpful.

**Brandon Flack**  
Regional Technical Assistance Manager  
Idaho Dept. of Fish and Game  
Southwest Region  
15950 N. Gate Blvd.  
Nampa, ID 83687  
Ph: (208) 854-8947



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**From:** Mark Young <mark@k2excavation.org>  
**Sent:** Sunday, August 24, 2025 9:41 PM  
**To:** Flack,Brandon <brandon.flack@idfg.idaho.gov>; Berkley,Regan <regan.berkley@idfg.idaho.gov>  
**Subject:** Re: SUB 25-013 Eld Ranch Estates – Appeal of PZ Commission Approval

One quick question and I can call the feds to clarify. When I read this CFR it covers the “

Subchapter Taking, Possession, Transportation, Sale, Purchase, Barter,  
B Exportation, and Importation of Wildlife and Plants  
“



We aren't doing that type of thing in this situation. So I wonder if there was another reference to living around eagles or development?

Thanks

Mark

**Mark Young | Contracting & Finance**

**K2 Excavation & Construction, LLC**

mark@k2excavation.org

C 858.232.4586

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**From:** Flack,Brandon <brandon.flack@idfg.idaho.gov>

**Date:** Wednesday, August 20, 2025 at 3:04 PM

**To:** Mark Young <mark@k2excavation.org>, Cynda Herrick <cherrick@valleycountyid.gov>, Berkley,Regan <regan.berkley@idfg.idaho.gov>

**Subject:** Re: SUB 25-013 Eld Ranch Estates – Appeal of PZ Commission Approval

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The reported nest tree is generally located near the northeast corner of the Eld Ranch Estates property, near the property line with the Simpco Lands property on Laffinwell Creek. I know you are not planning to develop that area for a while but think it is a good idea to get this on your radar now since eagles show high site fidelity to their nest sites and return to the same nest year after year. As I described in our previous email yesterday, eagles are protected under the federal Bald and Golden Eagle Protection Act. Eagle nests may not be disturbed or destroyed, even outside of the nesting period when eagles are not present. Federal regulations define disturb as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (50 CFR 22.6).

Enforcement of this law is the responsibility of the U.S. Fish and Wildlife Service (USFWS). We recommend that you contact the local USFWS office to discuss the options that area available to you. The USFWS Boise office number is 208-378-5243.

I can provide you with an update once our biologist has gone out to the reported location.

Thanks,

**Brandon Flack**

Regional Technical Assistance Manager

Idaho Dept. of Fish and Game

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Ph: (208) 854-8947