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### STAFF REPORT

Appeal of P&Z Commission Approval of  
Conditional Use Permit Application 20-12  
Stibnite Gold Project Logistics Facility

**HEARING DATE:** September 14, 2020 (2:00 p.m.)  
**TO:** Board of County Commissioners  
**STAFF:** Cynda Herrick, AICP, CFM  
**APPELLANTS:** Save the South Fork Salmon, INC  
P.O. Box 1808  
McCall, ID 83638  
**APPLICANT/OWNER:** Midas Gold Idaho INC  
P.O. Box 429  
Donnelly, ID 83615  
**LOCATION:** TBD Warm Lake Road; Parcel RP14N05E074475 located in the  
W ½ Sec 7, T.14N, R.5E, Boise Meridian, Valley County, Idaho  
**SIZE:** 25 acres  
**REQUEST:** Logistics Facility  
**EXISTING LAND USE:** Bare Ground

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### BACKGROUND:

On July 16, 2020, the Planning and Zoning Commission approved a conditional use permit for a facility to support mining operations.

Midas Gold Idaho INC is requesting a conditional use permit for a facility to support mining operations. The facility is proposed to reduce traffic to and from the remote Stibnite Gold Project site. Personnel would park at this site and be required to travel via bus or vans to the mine site.

Four buildings are proposed, totaling approximately 64,380 sqft of available floor space:

- an administrative office/assay laboratory
- warehouse
- hazardous materials storage
- a core sampling and storage building

Maximum building height will be 30 feet. All facilities will have fire extinguishers and smoke detectors and will meet fire and building code requirements for health and safety. The buildings will be colored to reduce contrast between the facilities and surrounding area.

The proposal includes parking facilities, a truck staging area, and a laydown area; 300 parking spaces are planned. Thirty percent (30%) of the site will be landscaped (natural vegetation and reseeded areas); 6% will be for building coverage; 42% for parking/driveway; and 22% for lay-down area.

The hazardous materials storage building will be used to store small amounts of hazardous materials that are generated at the Logistics Facility prior to being shipped for disposal as per the Resource Conservation and Recovery Act requirements. Any hazardous waste from the mine site would not be stored at the Logistics Facility. Any waste at the facility will be what is produced onsite from the assay lab. Such materials will be temporarily stored in an enclosed building in appropriate containers and moved off site to federally regulated disposal sites. Chemicals located onsite are listed in Exhibit 2 from the Planning and Zoning meeting on July 16, 2020.

Electricity from the Idaho Power Company powerline in Cascade, individual well, and a septic system are proposed. The exterior lighting would comply with Valley County Lighting Ordinance and their plan is included in the application.

The timing of construction is dependent on completing the permitting for the Stibnite Gold Project and would occur over a three-year period from 2021 through 2023. Mining operations at Stibnite are expected to start in 2023 and continue to approximately 2037. Reclamation and closure activities will take an additional 3+ years. The Logistics facility will operate through the end of reclamation and closure and then be kept for other company purposes.

The Logistics Facility would operate Monday through Friday, 8 a.m. to 5 p.m. with occasional weekend use. A security guard will be onsite, 24 hours a day, seven days a week.

Portions of the site not identified for grading or facility construction will be left in their current condition. Areas disturbed during construction but not compacted for parking or facility footprint will be seeded with native plant species. The two wetland areas would be protected.

The 25-acre site is adjacent and east of Warm Lake Road, approximately 8.5 miles east of Highway 55.

A traffic-impact study is included in the application. An amended TIS dated September 2, 2020, was also submitted. Three ingress/egress entries are proposed; one of which would only be used during construction activities.

## **FINDINGS:**

1. Planning & Zoning Commission approved C.U.P. 20-12 with conditions at a properly noticed public hearing on July 16, 2020.
2. **Appeal:** An appeal was received in a timely manner on July 27, 2020, with the appropriate fee. The appeal is attached. Issues being appealed are summarized as follows:
  - 1) Planning and Zoning Commission's decision to approve a project where it could not reasonably address or propose mitigation of the potential environmental, economic, or social impacts, and where it based its decision on not wanting to "hinder" the applicant's progress is arbitrary and capricious, and not in accordance with the law.
  - 2) The Planning and Zoning Commission failed to address the conflicts between traffic information in the C.U.P. application and the Transportation Impact Study, and failed to consider all future traffic volume that will travel on the Warm Lake Road corridor.
  - 3) Location of the facility on Warm Lake Road is completely out of character with the existing area and not consistent with the Comprehensive Plan.
  - 4) The Planning and Zoning Commission failed to consider the impacts of the facility on affordable housing.
  - 5) C.U.P. 20-12 does not adequately address or mitigate for impacts from transportation of hazardous materials through the County.

## **STAFF RESPONSE TO APPEAL ISSUES:**

- **Issue 1:** Planning and Zoning Commission's decision to approve a project where it could not reasonably address or propose mitigation of the potential environmental, economic, or social impacts, and where it based its decision on not wanting to "hinder" the applicant's progress is arbitrary and capricious, and not in accordance with the law.
  - **Response:**
    - The Planning and Zoning Commission (Commission) decision was based on the application for the proposed land use at the site, not on the entire mining project.
    - Environmental impacts of activity associated with this site will be addressed in the storm water management plan and hazardous material handling protocols.
    - The Commission determined it would have positive economic impacts to Valley County.
    - Idaho Statutes allow parallel processing of applications. The Commission believed it only makes sense to proceed through the various permitting processes simultaneously.
    - The Commission believed it was timely to process the application for the

logistics facility at this time in anticipation of their approval for mining operations.

- **Issue 2:** The Planning and Zoning Commission failed to address the conflicts between traffic information in the C.U.P. application and the Transportation Impact Study, and failed to consider all future traffic volume that will travel on the Warm Lake Road corridor.
  - **Response:**
    - The Commission decision was based on the application for the proposed land use at the site, not on the entire mining project.
    - The current application will assist in the management of employee traffic by providing for parking instead of each employee being allowed to drive to the mine. This will be an improvement for impacts to road and safety.
    - Future improvements to Warm Lake RD will continue to be a cooperative agreement for snow removal and maintenance with the applicant who has thus far been accountable, responsible and an active participant in improvements.
  
- **Issue 3:** Location of the facility on Warm Lake Road is completely out of character with the existing area and not consistent with the Comprehensive Plan.
  - **Response:**
    - The Commission determined the proposed land use is compatible with the surrounding land uses. The surrounding land use is the grazing of cattle during summer months. The Commission's Compatibility Rating was a +17.
    - The proposed use is consistent with the Valley County Comprehensive Plan; specifically:
      - Goal 4.V - Ensure mining remains a viable element in Valley County's economy.
      - Objective 4.V.1 - Encourage mining if it meets environmental standards and complies with water quality goals.
      - Goal 7.I – Improve county wide transportation.
      - Goal 9.I – Promote and encourage activities that will maintain a strong, diversified economy.
      - Objective 9.I.3 – Maintain the important role of the timber industry, tourism, outdoor recreation, mining and agriculture in the local economy.
      - Goal 11.II – Ensure that new development pays for its own impacts on facilities, utilities, and services.
      - Objective 11.II.1 – Ensure that necessary infrastructure improvements for new development shall be provided for prior to need. Coordination of utilities and services with land use plans will maximize efficiency and minimize costs.
      - Objective 11.II.2 – New development shall not be allowed to overload existing services.
      - Plan at p. 71 - Commercial and industrial uses are allowed in rural areas.

- **Issue 4:** The Planning and Zoning Commission failed to consider the impacts of the facility on affordable housing.
    - **Response:**
      - The Commission believed that most of the employees working at the facility will be existing employees who currently have housing in Valley County.
  - **Issue 5:** C.U.P. 20-12 does not adequately address or mitigate for impacts from transportation of hazardous materials through the County.
    - **Response:** Applicant will mitigate impacts from hazardous materials by transporting materials in USDOT-certified containers by USDOT-trained transporters; by storing fuel in above-ground storage containers with secondary containment; by maintaining a Spill Prevention, Control, and Countermeasures Plan; by complying with County and State fire and building code; and by complying with Federal and State laws regarding hazardous materials.
3. Legal notice for the appeal was posted in the *Star News* on June 20 and 27, 2020. Potentially affected agencies were notified on August 14, 2020. Neighbors within 300 feet of the property line and those who commented previously were notified by fact sheet sent August 14, 2020. The site was posted on August 26, 2020. The application was posted on the Valley County Public Hearing website on August 24, 2020.

#### 4. **Additional Information:**

- **Facts and Conclusions:**
  - Attached are the Facts and Conclusions that were approved by the Planning and Zoning Commission.
  - Part of the Valley County Board of Commissioners deliberation and decision should be a “reasoned statement that explains the criteria and standards considered relevant; state the relevant facts relied upon, and explain the rationale for the decision based on applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record, ‘all of which’ should be part of the motion to approve or deny, or should be developed with staff assistance for action at a subsequent meeting.” (VCC 9-5H-11.8)
  - Attached are Proposed Facts and Conclusions prepared by the applicant. If the Board agrees they should consider each matter.

The following are the Conclusions of the Planning and Zoning Commission:

- The proposed use is in harmony with the general purpose of Valley County ordinances and policies and will not be otherwise detrimental to the public health, safety and welfare.
- That the proposed use is consistent with the Valley County Comprehensive Plan.

- Valley County is one Mixed Use Zone - Performance Based Planning which allows different uses adjacent to each other.
- There will be little visual impact and lighting will be dark sky compliant.
- The Commission determined the application is complete and engineering compliance is typically required after initial approval as a condition of approval.
- There is little concern of chemical spills at this site since most chemicals will go directly to the site. Cyanide briquettes only leave the trucks at the mine site. There is a chain of custody handling for hazardous materials.
- Wetlands have delineated and will be protected using adequate BMPs/storm water management practices.
- This use should not go into a city or urban area; it would negatively impact circulation in a city.
- This use should not go on the Payette River National Scenic Byway.
- This use will be an improvement to the corridor management plan of Idaho Power by relocating the substation to this site.
- This application is for this specific use, not the entire mining operation.
- The application is timely; Idaho Statute allows parallel applications.
- There have been other conditional use permits issued for this mining endeavor.
- The Commission completed the Compatibility Rating and determined it was a +17.
- Locating the logistics facility at this site will help mitigate impacts of traffic to the overall traffic corridor.
- Jobs will be good jobs so that Valley County does not have to rely solely on service jobs.
- The economic impact would be tremendous.
- The Valley County Comprehensive Plan addresses mining and a diversified economy. It states we should, "Maintain the important role of ...mining...in the local economy."
- There were a number of ways for the public to participate in the meeting including written testimony, telephonic testimony, and testimony in-person. The meeting was broadcast live. Open meeting laws were not violated.

- **Minutes with Exhibits:** The minutes for the Planning and Zoning Commission meeting held on July 16, 2020, are attached.
- **Planning and Zoning Commission Staff Report** is attached for review. It includes prior comments.

**5. Applicant's response to appeal:**

- Response Letter
  - 1) The Commission's approval was based on facts in the record and standards for CUPs in the Valley County Code.
  - 2) Traffic impacts associated with the Logistics Facility are adequately analyzed and will be fully mitigated.
  - 3) The Logistics Facility, and promotion of mining as an industry, is consistent with the Valley County Comprehensive Plan.
  - 4) The Logistics Facility positively impacts housing affordability.
  - 5) Midas properly addressed hazards associated with the Logistics Facility and how they will be mitigated.
- Addendum to the Traffic Impact Study  
 The appendices for the Addendum are available online:  
[https://midasgold-my.sharepoint.com/:f/g/personal/jnielsen\\_midasgoldinc\\_com/EhhkoUGKz\\_JDquvSOs42fL4BLxBu0GHR8GukQoCrFhEKfw?e=AfvxfU](https://midasgold-my.sharepoint.com/:f/g/personal/jnielsen_midasgoldinc_com/EhhkoUGKz_JDquvSOs42fL4BLxBu0GHR8GukQoCrFhEKfw?e=AfvxfU)
  - Transportation Impact Study – Addendum (Sept. 2, 2020)
  - Appendix A – Figures
  - Appendix F – 2022 Background Conditions
  - Appendix I – 2022 Build Conditions Capacity Analysis
  - Appendix J – 2030 Build Conditions Capacity Analysis
  - Appendix K – 2040 Build Conditions Capacity Analysis
  - Appendix M – 2022 Background & Build Conditions Improvements Capacity Analysis
  - Appendix N – 2030 Background & Build Conditions Improvements Capacity Analysis
  - Appendix O – 2040 Background & Build Conditions Improvements Capacity Analysis
- Valley County – 2018 Average Wage = \$37,856 per year
- West Central Mountain Housing Affordability Report – August 2020

**6. Agency comment received:**

Idaho Transportation Department stated that the project would impact the state highway due to the size and volume of vehicles forecasted to use the facilities. The construction Phases (2022 buildout) has the highest number of daily site trips and is used as the basis for determining mitigation impacts. ITD's position on required improvements to the intersection of SH- 55 and

Warm Lake Road to mitigate development impacts are:

- Install northbound right-turn lane, southbound left-turn lane, and widen the Warm Lake Road approach for simultaneous left and right turn movements.
- Install an acceleration lane for the westbound left-turning lanes entering SH-55.
- Improve turn radii on the Warm Lake Road approach to accommodate design vehicles (WB-67). (September 1, 2020)

Idaho Power's discussions with Midas Gold have focused on how to supply the company's operational needs while protecting existing Idaho Power Companies. The Draft Environmental Impact Statement includes analysis of the proposed Idaho Power facilities required. While the upfront costs for the infrastructure upgrades will be solely born by Midas Gold, the infrastructure will be available to serve general needs of existing and future customers. (September 8, 2020)

Central District Health replied in a Review Sheet stating they have issued a septic permit for this facility. Applicant will need to verify with DEQ if a public water system will be required. (June 15, 2020 – in PZ Staff Report)

Steven Hull, Cascade Rural Fire District Fire Chief, reviewed the plans. The site is outside of the Fire District's boundary. All apparatus Access Roads shall be built to the International Fire Code Standards 2015. See Section 503.2.1 and 503.2.3. Flow from the well shall be sufficient for the type of building and construction as required by the International Fire Code Appendix B. (July 9, 2020 – in PZ Staff Report)

**7. Public Comment received after notice of appeal (attached):**

Proponents of the Appeal of the PZ Approval of C.U.P. 12-12

- Changing rural, scenic, and recreational access area into industrial area.
- Tourism economy needs protected. Warm Lake is a designated tourist hub.
- Establishing an industrial area in Scott Valley will generate future development in the area that is not agricultural or residential.
- Will increase noise and light dramatically out of character from the surrounding area.
- Traffic safety due to large trucks.
- Premature to approve a facility prior to approval of environmental impact statement; will prejudice ongoing and future decisions. The decision should be tabled for now.
- The types of vehicles, volume of traffic, and contents carried will vary depending on which alternative is chosen from the Environmental Impact Statement
- Parcel is too small.
- Parking and staging areas appear to be too small for the intended use.
- Proposed location will not mitigate traffic congestion on HWY 55, on Warm Lake Road, nor the City of Cascade. It would make more sense that parking/staging occur south of Cascade.



- Site plan did not include septic and water systems or their required setbacks from property lines, other installations, and wetlands.
- Lack of appropriate fire safety plan.
- Incompatible with Comprehensive Plan’s goals to
  - Retain the rural/small town character,
  - Protect fish, wildlife, and recreation resources,
  - Guide development so as not to harm the characteristics which attracted it here in the beginning,
  - Maintain or improve existing levels of service as new growth occurs,
  - Evaluate the likely impact on the costs of services for new growth to ensure it does not create undue hardship for Valley County residents.
- The application fails to address the applicant’s responsibilities for generating, storing, and disposing of hazardous wastes produced at the facility.
- Changing 16 acres of forest and wetland into a paved parking lot will alter the surrounding environment including stormwater runoff, ambient air temperature, and aquatic and terrestrial species.
- The application does not address the potential for particulate emission.
- The impact to wetlands, groundwater, and surface water is not addressed adequately.
- PZ Commission approved the application so not to hinder Midas’ progress.
- The fact that final project permitting is likely still several years out will also violates Valley County Code 9-5H-8(B)(1) requiring one year to substantially comply with the CUP.

1. Jared Alexander, McCall, August 20, 2020
2. Sam Stoddard, Valley County, August 31, 2020
3. Susan Bechdel, 1401 HWY 55, Sept. 7, 2020
4. Julia Welch, McCall, Sept. 5, 2020
5. John Lewinski, 606 Syringa Drive, McCall, Sept. 7, 2020
6. Lee Neale, 1600 Airport Way, Cascade, Sept. 7, 2020
7. Zac Sears, McCall, Sept. 7, 2020
8. Craig Rabe, 686 Fox Ridge RD, McCall, Sept. 7, 2020
9. Cooper Lambla, Sept. 7, 2020
10. Melissa and Fred Coriell, McCall, Sept. 7, 2020
11. Ruth Lewinski, McCall, Sept. 8, 2020
12. Michelle Blank, McCall, Sept. 5, 2020
13. Kathy Steward, 14050 Deerfield Road, Sept. 5, 2020
14. Charles Ray, McCall, Sept. 8, 2020
15. Joseph Fox, Sept. 7, 2020
16. Sage Fox, McCall, Sept. 7, 2020
17. Maura Goldstein, Sept. 7, 2020
18. Rebecca B.W. Anderson, Boise, Sept. 7, 2020
19. Linda Jarsky, 1607 N Davis Ave, McCall, Sept. 7, 2020
20. Laura Bechdel, 771 Knights Road, McCall, Sept. 7, 2020
21. Lynn Lewinski, McCall, July 9, 2020 & Sept. 2, 2020
22. John Robison, Idaho Conservation League, Sept. 8, 2020

23. Kevin Studley, Sept. 8, 2020
24. Will Stublefield, Teton County, Idaho, Sept. 8, 2020
25. Marilyn Olson, 890 Timber Ridge CT, McCall, Sept. 8, 2020
26. Steve Jones, Sept. 8, 2020
27. Wesley Keller, Sept. 8, 2020
28. Thomas Welty, 939 Flynn Lane, McCall, Sept. 7, 2020
29. Davis H Cowles, Cascade, July 18, 2020

Opponents of the Appeal of the PZ Approval of C.U.P. 12-12

- The logistics facility is consistent with the Valley County Comprehensive Plan to “promote and encourage activities which will maintain a strong, diversified economy”.
  - This is a good spot for the facility.
  - The facility will reduce traffic and increase safety by consolidating loads and busing employees.
  - Carpooling employees during week-days will not add to the holiday and weekend traffic.
  - The facility will add full-time, well-paying jobs to the Cascade area.
  - The upgraded powerline will benefit the area at no cost to Idaho Power customers. The current eye-sore of a substation would be replaced by a modern substation located behind natural cover of the proposed site.
  - Private money from Midas Gold will be used to upgrade public infrastructure at the intersection of Warm Lake Road and HWY 55.
  - Once complete, the property will go almost unnoticed by neighbors and the traveling public.
  - Traffic on HWY will not be obstructed by employee shift changes.
  - If the mine does not get permit approval, this site won’t be built.
  - Valley County Comprehensive Plan states that mining is important in the local economy.
  - The facility meets the objectives of the Comprehensive Plan by bringing steady, year-round jobs that diversify the economic base of the County.
  - Hazardous materials transportation will be regulated by Federal, State, and County rules.
  - The facility and employee busing will reduce emissions by lowering car usage and the amount of road dust.
  - The site was chosen specifically for the project needs and to mitigate any potential environmental, economic, and social impacts on the surrounding area.
  - The proposed facility will have a positive economic impact on Valley County.
  - The barrier of natural vegetation between the facility will help hide it from the road.
  - The employees of the mine should earn enough to find housing.
1. Bill Coughlin, Eagle Nest Subdivision, Sept. 3, 2020
  2. Bruce & Sue Leeper, Sept. 5, 2020
  3. Dan & Chris Davis, 508 N Idaho ST, Cascade, Sept. 5, 2020
  4. Mike Keithly, 23 Joshua Drive, Sept. 5, 2020
  5. Ryan Rambur, Donnelly, Sept. 8, 2020

6. Jenni Hart, Sept. 8, 2020
7. Matt Rickert, Cascade, Sept. 8, 2020
8. Mike Fackrell, 223 Ponderosa, Sept. 4, 2020
9. Shauna Arnold, Cascade, Sept. 3, 2020
10. Kaylee Tuning, Cascade, Sept. 6, 2020
11. Taylor Tuning, Cascade, Sept. 6, 2020
12. Hunter Provancher, Cascade, Sept. 8, 2020
13. Scott & Kelly Felton, 33 Garrett Lane, Cascade, Sept. 8, 2020
14. Larry & Carrell Morton, Sept. 8, 2020

8. Physical characteristics of the site: relatively flat land with tree cover, primarily lodgepole.
9. The surrounding land use includes:
  - North: Agriculture (Timber and Grazing)
  - South: Agriculture (Timber and Grazing)
  - East: Agriculture (Timber and Grazing)
  - West: Agriculture (Timber and Grazing) and Warm Lake Road
10. Valley County Code (Title 9) in Table 9-3-1. This proposal is categorized under:
  - 6. Industrial Uses (a) Light Industry

### **9-5F-2: INDUSTRIAL USES; SITE OR DEVELOPMENT STANDARDS:**

Industrial uses requiring a conditional use permit shall meet the following site or development standards:

- A. Minimum Lot Area:
  1. The minimum lot area shall be adequate to accommodate the use, associated activities or use, and to adequately contain adverse impacts.
  2. The minimum frontage along a public or private road shall not be less than seventy five feet (75').
- B. Minimum Setbacks:
  1. Light Industrial Uses: The minimum building setbacks for light industrial uses shall be fifty feet (50') from front, rear, and side street property lines and thirty feet (30') from side property lines.
- C. Maximum Building Height And Floor Area:
  1. Building heights shall not exceed forty five feet (45') for light industrial uses, and shall be unlimited herein for extractive industrial uses. Building heights for heavy industrial uses shall not exceed forty five feet (45').
  2. The building size or floor area shall not exceed the limitations of subsections 9-5-3A and C of this chapter.

3. No building or combination of buildings may cover more than forty percent (40%) of a lot for light industrial uses and thirty percent (30%) of a lot for heavy industrial uses.

D. Site Improvements:

3. Parking spaces shall be provided at the rate of one plus one per two hundred fifty (250) square feet of floor area where applicable for light industrial uses; and one plus one per four hundred (400) square feet of floor area for heavy industrial uses. In any event the parking area shall be adequate to provide parking for employees and visitors.

**SUMMARY:**

Compatibility Rating: Planning and Zoning Commission's compatibility rating is a +17. **The Board of County Commissioners should do their own compatibility rating prior to the meeting (form with directions attached).**

**ATTACHMENTS:**

- Conditions of Approval
- Appeal Letter
- P&Z Minutes with Exhibits
- P&Z Facts and Conclusions
- Applicant's Proposed Facts and Conclusions
- Vicinity Maps / Picture of Site Posting
- Site Plan
- Responses received after PZ meeting.
- P&Z Staff Report

**Conditions of Approval Proposed IF APPROVED:**

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit
3. The use shall be established according to the phasing plan or this permit shall be null and void. The use shall not be started until approval of mining activities is approved.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws,

regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.

5. All lights shall be fully shielded so that there is no upward or horizontal projection of lights. The lights can only be a maximum of 20' in height and 3000° Kelvin.
6. The applicant shall provide and maintain orderly and proper disposal of waste including by-products of the operation, other solid waste, hazardous waste, and sanitary waste.
7. Must comply with Central District Health requirements.
8. The minimum building setbacks for light industrial uses shall be fifty feet (50') from front, rear, and side street property lines and thirty feet (30') from side property lines.
9. Parking lots must comply with setback standards.
10. New structures, including fencing greater than 6-feet tall, must have building permits and be approved as part of a conditional use permit.
11. The site must be kept neat and orderly.
12. Shall obtain a sign permit prior to installation of a sign.
13. Perimeter landscaping shall be installed prior to July 1, 2021. If landscaping dies, it must be replaced. Landscaping must be irrigated and maintained.
14. Hours of operation are limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday.
15. A stormwater management plan shall be approved by the Valley County Engineer prior to excavation.
16. Will need an approach permit from the Valley County Road Department.
17. Shall enter into an agreement with the Board of County Commissioners to mitigate impacts to the road system and Idaho Transportation Department.
18. After reclamation and the facility is no longer needed, a new conditional use permit will be required prior to use. If there is no further use of the site, the structures will be removed and the site reclaimed.

### **END OF STAFF REPORT**

A COMPLETE COPY OF THE RECORD IS AVAILABLE FOR REVIEW  
AT THE PLANNING AND ZONING COMMISSION OFFICE.

Jolie Thrower  
208-271-6503

Fred Coriell  
208-315-3630



RECEIVED

JUL 27 2020

P.O. Box 1808, McCall, ID 83638  
www.savethesouthforksalmon.com

July 27, 2020

Cynda Herrick  
Valley County Planning and Zoning Administrator  
219 N. Main Street  
Cascade, ID 83611

RE: NOTICE OF TIMELY SUBMITTED APPEAL AND BRIEF  
IN SUPPORT OF APPEAL

Dear Ms. Herrick:

PLEASE TAKE NOTICE that pursuant to Valley County Code § 9-5H-12, Save the South Fork Salmon, Inc. ("SSFS"), a non-profit corporation established under the laws of the State of Idaho (P.O. Box 1808, McCall, ID 83638, tel: (208) 271-6503), hereby appeals the Valley County Planning and Zoning Commission's ("PZC") final approval of Conditional Use Permit ("CUP") application, CUP 20-12, for Midas Gold's Stibnite Gold Logistics Facility ("SGLF"), which was approved by the PZC by motion on July 16, 2020. The nature of SSFS's interest in the PZC's decision is stated in its July 8, 2020 comment letter to the PZC opposing CUP 20-12.

The appeal fee of \$300.00 was submitted to the County Clerk with this document.

On July 16, 2020, Valley County PZC held a public hearing on CUP application CUP 20-12. Four letters in support and 25 letters in opposition of the approval of CUP 20-12 were timely submitted, including a letter in opposition by Save the South Fork Salmon. In addition, after the applicant made its presentation, one person testified at the public hearing in support of the approval of the CUP, and five persons testified in opposition. As outlined in the PZC Staff Report, opponents had many concerns with the application, including, but not limited to, negative impacts to the scenic area, impacts to recreational and backcountry access, the precedent-setting nature of an approval for future industrial development, conflicts with the Comprehensive Plan, impacts to housing affordability,

adverse impacts to traffic, and the inappropriate and pre-decisional nature of an approval of the logistics facility application prior to federal approval of the larger Stibnite Gold Project (SGP). Many of the opponents also commented on the incompleteness of the CUP application.

Nevertheless, the PZC approved the application (3 in favor, 1 opposed, and 1 recused) by motion made at the hearing with 18 conditions of approval.

For the reasons discussed below, SSFS submits that the approval of CUP 20-12 was arbitrary and capricious, not in accordance with the law, and urges the Board of Commissioners to sustain the appeal and invalidate PZC's approval of the SGLF.

**I. The PZC's decision to approve a project where it could not reasonably address or propose mitigation of the potential environmental, economic, or social impacts, and where it based its decision on not wanting to "hinder" the applicant's progress is arbitrary and capricious, and not in accordance with the law.**

The PZC was arbitrary in approving CUP 20-12 because it could neither reasonably address the environmental, economic, and social impacts of the proposed SGLF nor propose reasonable mitigation, as required by Valley County Code. Rather, the PZC based its approval of the application on impermissible factors of not wanting to "hinder [Midas's] progress"<sup>1</sup> and ensuring that Midas gets "to the next step."<sup>2</sup> The PZC's decision is therefore arbitrary, capricious, and not in accordance with the law.

First, neither the applicant nor the PZC can reasonably anticipate or "address [the] potential environment, economic, and social impacts" to Valley County and its communities, and thus cannot determine "how these impacts are to be minimized" for a project whose construction timeline is speculative and unknown.<sup>3</sup> A reasonable assessment of the potential impacts of the SGLF requires a knowledge of the baseline conditions, whether it be traffic, the economy, or the social environment. Here, the PZC recognized that the baseline conditions for a project proposed to be built a few years from now are not known:

It is going to be a few years before this [SGLF] actually happens. . . . I think we're going to have changes in the County. There is a lot of like what we brought up just now, the traffic thing, all the building that's

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<sup>1</sup> PZC July 16, 2020 public hearing video recording at 3:03:44.

<sup>2</sup> *Id.* at 3:08:23.

<sup>3</sup> Valley County Code § 9-5-3(D)(2).

going on. There's a huge amount of things happening. We've got Trident [inaudible]. We're growing. And I don't particularly feel good about permitting something 2 or 3 years in advance of it actually happening.<sup>4</sup>

For example, without knowing what the baseline conditions will be in a few years, it is impossible to “[c]ontrast existing [traffic conditions] with the changes the proposal will bring . . . after completion . . .,” or to “[s]tate how the proposed development will impact existing developments . . .,”<sup>5</sup> or to know if the impacts are acceptable to “the people who are sitting in these seats and in the County Commissioner’s at that time” and who “are the people most immediately concerned with this permit.”<sup>6</sup> This is perhaps why Valley County Code § 9-5H-8(B)(1) requires “approval [of a CUP] shall be for a period of one year from the date of the hearing, after which time, the approval will expire and be null and void unless the applicant has substantially complied with the provisions thereof or has applied for an extension of time. . . .”

Similarly, the PZC cannot make a reasonable assessment of the impacts of the SGLF because, without approval of the larger mine project (or at a minimum, knowing what the preferred alternative is), the scope and thus, impacts, of the SGLF are not known.

The SGLF is not a stand-alone project, but planned--and needed--only as part of the larger SGP.<sup>7</sup> In fact, “[m]ine permitting . . . [will] take into account the impacts of those activities at the logistics facility.”<sup>8</sup> The PZC, moreover, recognized not only that the scope of the SGLF could change based on the federal environmental review process,<sup>9</sup> but, if approval for the SGP is not obtained, the SGLF would not be built.<sup>10</sup> Adding the condition to the CUP approval that “[t]he use shall not be started until approval of mining activities is approved” does little to rectify this problem of not knowing now exactly what the scope and

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<sup>4</sup> PZC July 16, 2020 public hearing video recording at 2:37:17.

<sup>5</sup> Valley County Code § 9-5-3(D)(2)(a), (p).

<sup>6</sup> PZC July 16, 2020 public hearing video recording at 2:36:22. *See also id.* at 1:49:26 (“Nothing to my knowledge has been asked for prior to getting approval for an operational plan for a project.”).

<sup>7</sup> The SGLF is “[t]he off-site administrative offices, transportation hub, warehousing and assay laboratory **needed for the Project . . .**” SGP Plan of Restoration and Operation (“PRO”) at ES-14.

<sup>8</sup> PZC July 16, 2020 public hearing video recording at 2:17:56 (Midas Gold representative speaking).

<sup>9</sup> *Id.* at 2:43:49.

<sup>10</sup> *Id.* at 1:40:00 (Midas Gold stating that “if we don’t get the mining permit, we’re not going to construct the logistics facility.”).



impacts of the SGLF will be. Of more concern, separating the impacts of the SGLF from the larger SGP attenuates the County's ability to adequately address and mitigate these impacts to the services and infrastructure within Valley County. Approving the CUP application without this knowledge and knowing that there is a possibility that the scope of the SGLF may change based on the federal environmental review is, point blank, arbitrary and capricious.

Finally, seeking approval for the SGLF now is not unlike the Community Agreement proposal, where Midas Gold sought a premature "endorsement" of its proposed mining operation from local municipalities and governments. The SGLF is "where the County has the only jurisdiction we'll have [over the larger mining project] is with this type of thing, just facilities."<sup>11</sup> Other than the federal government, the County is "the ones . . . that are most closely associated with the actual operations."<sup>12</sup> Approving the CUP application now gives "the impression that the County is right now weighing in on behalf of Midas Gold."<sup>13</sup> Indeed, Midas Gold has utilized the Community Agreement as a selling point to its investors in its most recent investor presentation.<sup>14</sup>

The impropriety of approving the SGLF prior to the SGP approval is implied in Valley County's contractual relationship with the Payette National Forest and other state and federal agencies, which "provides a framework for the Parties to cooperate and efficiently process three proposals by Midas Gold" including "new and/or upgraded offsite infrastructure" and "operational, reclamation, and post-closure monitoring that will occur over a minimum of 20 years."<sup>15</sup> Unilaterally approving the SGLF before the other agencies have a chance to weigh in on the impacts **fails to adhere to this framework**. Moreover, National Environmental Policy Act ("NEPA") regulations imply that local agencies and governments be involved in the NEPA process to better facilitate the decision making process without abdicating their authority by undermining the legally required analysis of a major Federal action.<sup>16</sup>

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<sup>11</sup> PZC July 16, 2020 public hearing video recording at 2:35:30.

<sup>12</sup> *Id.* at 2:37:24.

<sup>13</sup> *Id.* at 2:38:42.

<sup>14</sup> See Midas Gold Corp Investor Presentation July 2020 at 32 "Community Agreement." See also "Social License" and "Government and Public Support" at 29, 30.

<https://www.midasgoldcorp.com/site/assets/files/2384/2020-07-08-cp-max.pdf>

<sup>15</sup> Forest Service Agreement No. 2017-0412-Stibnite Gold-MU-02a.

<sup>16</sup> NEPA regulations provide: 1) project segmentation, which bars independent analysis of "interdependent parts of a larger action [that] depend on the larger action for their justification;" 2) "prejudicing the ultimate decision on a program;" and 3) "better integrat[ion of] environmental impact statements into State and local planning processes..." 40 C.F.R §§ 1508.25(a)(1), 1506.1(c)(3), 1506.2 (d).

By approving the SGLF prior to the federal government's consideration of the SGP as a whole, it appears, as PZC Commissioner Allen noted, like the "County is weighing in on Midas Gold," and undermines the public's confidence in its local government to administer the authority given to it by Idaho's Local Land Use PLanning Act ("LLUPA") to "promote the health, safety and general welfare of the people."<sup>17</sup>

Rather, the PZC was more concerned with furthering Midas Gold's own business prerogatives than on the issues at hand in CUP 20-12. Instead of knowing, or seeking what the actual impacts this facility will have on the local communities, the PZC decision indicated a strong bias towards Midas Gold and its progress, which inhibited the PZC's ability to act in a manner consistent with the quasi-judicial expectations required in the local land use and planning decision making process.<sup>18</sup>

If we approve it, then it moves it to the Commissioners. It gets [Midas] to the next step. . . . Or if we make them put it off until the EIS is approved, then we're going to start over. It will get appealed. It will go to court. And then they're out another year and a half. We're hindering their progress. That would be a bad deal.<sup>19</sup>

The decision to approve the SGLF was impermissibly rooted--as stated in the motion made to approve the CUP--in the "understanding, knowing this will get appealed to County Commissioners."<sup>20</sup> The basis for the rationale to approve the CUP is not a permissible factor under Valley County Code, or elsewhere. It makes the PZC's decision arbitrary and capricious, and not in accordance with the law. The Board of Commissioners should, therefore sustain this appeal.

## **II. The PZC failed to address the conflicts between traffic information in the CUP application and the Transportation Impact Study, and failed to consider all future traffic volume that will travel on the Warm Lake Road corridor.**

The PZC erred in regard to concluding that traffic due to the SGLF will not have a negative impact on Highway 55 and the surrounding community. The PZC failed to resolve conflicting data for traffic volume between the CUP application and the Transportation Impact Study ("Traffic Study"); it failed to consider fully how additional

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<sup>17</sup> Idaho Code § 67-6502.

<sup>18</sup> See Valley County Code § 9-2-1(B)(2). See also Idaho Code §§ 74-401 to 74-406.

<sup>19</sup> PZC July 16, 2020 public hearing video recording at 3:03:14.

<sup>20</sup> *Id.* at 3:09:27.

traffic would impact Warm Lake Road; and it failed to consider that there will be additional future traffic from the mine that will travel down that same transportation corridor. The lack of full consideration of these issues renders PZC's decision arbitrary and capricious.

The PZC failed to resolve conflicting data between the CUP application and the Traffic Study, which severely underestimated the impact the SGLF will have on traffic on Highway 55 and in and around Cascade. The CUP application states that approximately 26 to 30 employees will live in the surrounding community and work at the SGLF, and that it is expected that anywhere from 20 to 50 percent of the 524 to 670 employees--or 104 to 335 employees--working for mining operation (including those working at the SGLF) will live in Valley or Adams Counties.<sup>21</sup> Based on that information, the potential maximum number of employees traveling to the SGLF is 335, and the daily trips they will take are calculated as follows:

- About 28 will commute daily to the SGLF, making one round-trip to and from the SGLF, or two daily trips, for a total of 56 daily trips;
- About 307 employees will commute to the SGLF for further transport to the mine in two week shifts, each making two daily trips every two weeks (10 total weekdays), for a total of 614 daily trips per employee, or an average of 61.4 trips per weekday.

The total daily trips of employees living in Valley and Adams Counties and taking Highway 55, through Cascade, and up Warm Lake Road to the SGLF appears to be approximately 117 daily weekday trips for light vehicles only.

The Traffic Study, in contrast, states that the daily weekday trip volume for light vehicles is expected to be only 19 trips, only about 16 percent of the expected traffic based on the above analysis.<sup>22</sup>

The PZC's neglect to address and resolve this discrepancy in daily trips results in a failure to understand and provide information to the public about the full extent of "changes the proposal will bring . . . after completion [and] full occupancy of the proposed development" to the "traffic volume, character, and patterns including adequacy of existing or proposed street width, surfacing, alignment, gradient, and traffic control features or divides, and maintenance," as required under Valley County Code.<sup>23</sup> These potential

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<sup>21</sup> Project Description for the SGLF (August 2019) ("Impact Report") at 2-2 (document submitted with CUP application CUP 20-12, and thus incorporated by reference).

<sup>22</sup> Traffic Study at 14 (Table 1) (document submitted with CUP application CUP 20-12, and thus incorporated by reference).

<sup>23</sup> Valley County Code § 9-5-3(D)(2)(a).

changes to the traffic volume and patterns are increasingly important to understand because, as recognized by PZC Commissioner Cooper “traffic in Valley County is going nuts here. . . . The corridor from Horseshoe Bend to McCall needs to have something done to it, to alleviate some of the congestion problems we have and some of the frustration we have trying to navigate through this . . . this County.”<sup>24</sup>

A lack of understanding of the true impacts due to the increased number of vehicles travelling on the highway and up Warm Lake Road is problematic because it impacts the County’s ability to ensure that the application, if approved, “will not place any unreasonable burden on the public infrastructure,”<sup>25</sup> and compromises the County’s ability to negotiate “an agreement . . . to mitigate impacts to the road system . . .”<sup>26</sup> This lack of understanding was articulated by Commissioner Benton: “The easement getting on and off in that area is **not** going to be a problem, it’s going to be cars, it’s **not** going to be semis.”<sup>27</sup> It is especially worrisome considering Midas Gold’s stated desire to fund upgrades to the Warm Lake Road/Highway 55 intersection in order to accommodate an increase in WB-67 truck traffic. The estimated daily heavy vehicle traffic during construction and mine operations is significant.<sup>28</sup> It will constitute a significant impact to county infrastructure that must be analyzed and potentially mitigated for accordingly.<sup>29,30</sup> As mentioned above, traffic on the thoroughfares through Valley County is already problematic.

Moreover, even if the PZC reasons that the information in the Traffic Study is correct, this study, prepared in 2017, is already outdated and does not provide a accurate picture of how the SGLF will further impact traffic, or which improvements are necessary. Warm Lake Road is not only the “western gateway to Idaho’s wildlands,” but recreational traffic has increased in the past few years due to the popularity of the hot springs of the road, mushrooming near Warm Lake, and the recent renovation of the Warm Lake Lodge.<sup>31</sup>

There is also a failure of the Traffic Study and the PZC to take into account new traffic, particularly heavy vehicles (supply and haulage traffic), that will be travelling up and down the Warm Lake Road corridor to the tune of an average of 48 trips per day for a total

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<sup>24</sup> PZC July 16, 2020 public hearing video recording at 2:31:30.

<sup>25</sup> Valley County Code § 9-5H-7(B)(3).

<sup>26</sup> PZC Staff Report: CUP 20-12 at 7 (Condition of Approval #17).

<sup>27</sup> PZC July 16, 2020 public hearing video recording at 2:41:48 (emphasis added).

<sup>28</sup> See Midas Gold PRO at 12-6.

<sup>29</sup> *Id.* at 1:41:00 (discussing the type of heavy truck traffic that will regularly be turning at the Warm Lake Road/Highway 55 intersection due to increased traffic activity from the proposed SGP).

<sup>30</sup> See *infra* at 10 (discussing volume of heavy truck traffic carrying hazardous materials).

<sup>31</sup> PZC July 16, 2020 public hearing video recording at 2:16:26.

of 17,118 single trips per year to the mine that may or may not be stopping at the SGLF, but will pass through that same corridor on the way out to Highway 55.<sup>32</sup>

The PZC failed to address this discrepancy of daily trips of light vehicles, and the lack of data of daily trips of heavy vehicles, and instead erroneously focused on how the SGLF will alleviate traffic from the SGLF to the mine site itself.<sup>33</sup> Although the mitigation of daily trips going from the SGLF to the mine site itself is an issue that the PZC should consider, that consideration does not alleviate the need to ensure that there is a complete understanding of other traffic impacts that placing the SGLF on Warm Lake Road will have on that road to the highway, and throughout the County. It's conclusion that the CUP application and Midas Gold "covered concerns" relating to the impact of the SGLF is arbitrary and not based on substantial evidence. The Board of Commissioners should therefore sustain the appeal.

### **III. Location of the SGLF on Warm Lake Road is completely out of character with the existing area and not consistent with the Comprehensive Plan.**

The proposed SGLF is inconsistent with the Comprehensive Plan's goal to retain rural and small town character and to preserve agricultural land.<sup>34</sup> This inconsistency is in violation of LLUPA, § 67-6512(a), which provides that a local government may grant a conditional use permit "when it is not in conflict with the [comprehensive] plan."

The SGLF, a light industrial complex, is proposed to be located along Warm Lake Road, on a currently vacant parcel surrounded by other vacant parcels that are used for agricultural purposes.<sup>35</sup> There is no other industrial development along the 8.5 miles of Warm Lake Road (except for Granite Excavation, which is adjacent to Highway 55) headed toward Cascade, and minimal development (the Warm Lake Lodge) on or around Warm Lake Road heading out to the mine site. PZC Commissioner Allen, in no uncertain terms, stated that locating the SGLF along Warm Lake Road is not consistent with the Comprehensive Plan.<sup>36</sup> He further recognized that this facility will be "a big impact for a rural area" and will cause "industrial creep."<sup>37</sup>

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<sup>32</sup> See SGP PRO at 12-6.

<sup>33</sup> PZC July 16, 2020 public hearing video recording at 2:32:04 (Commissioner Cooper stating, "My concern is from the logistics facility to the mine itself.").

<sup>34</sup> Valley County Comprehensive Plan at 11, 73.

<sup>35</sup> PZC Staff Report at 4.

<sup>36</sup> PZC July 16, 2020 public hearing video recording at 1:33:40.

<sup>37</sup> *Id.* at 2:59:44; 2:44:26.

The Comprehensive Plan is a forward-looking document that establishes, with input from the public, visionary and aspirational goals for local government. The inconsistency with the Comprehensive Plan is compounded by the fact that approval of this application **now** is extraordinarily premature given that construction timing of the SGLF is (1) speculative; (2) not inevitable until the mine is approved;<sup>38</sup> and (3) may not be constructed at all.<sup>39</sup> By approving the SGLF in an incompatible area, the PZC has predetermined the future development of this land and the 8.5 mile corridor leading to Cascade<sup>40</sup>--which is particularly egregious given Valley County has no specific zoning designations--with incomplete and inadequate information of the growth and development patterns of the Cascade and the County, the traffic volume and patterns, and whether maintaining the existing rural character of the site and Warm Lake Road corridor is more desirable than having an industrial complex. The proposed location of the SGLF is also inconsistent with the County's policy to achieve the goals of the Comprehensive Plan by locating "industrial development . . . in commercial hubs, villages, or near existing established incorporated communities with similar characteristics and infrastructure to serve the more intense land use needs."<sup>41</sup>

Not having this information on the future character of the surrounding communities and how the proposed SGLF will impact them, and the fact that the proposed SGLF is inconsistent with the Comprehensive Plan, makes the decision to approve this CUP now unreasonable, arbitrary, and capricious; this appeal should be sustained.

#### **IV. The PZC failed to consider the impacts of the SGLF on affordable housing.**

Midas Gold, both in its CUP application and at the public hearing, and the PZC failed to address concerns regarding the impacts of the proposed SGLF on the affordability of housing in Cascade and Valley County. By approving the CUP application without consideration of this issue, and ensuring that the CUP is consistent with the Comprehensive Plan and Valley County Code, the PZC's grant of the CUP is arbitrary and not in accordance with the law.

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<sup>38</sup> See *supra* at 2-5.

<sup>39</sup> PZC July 16, 2020 public hearing video recording at 1:40:00.

<sup>40</sup> It is conceivable that the County will receive other building permits and applications for land surrounding the proposed SGLF. Having the SGLF CUP already approved in advance--whether or not it ultimately is constructed--will color this and future PZC decisions.

<sup>41</sup> Valley County Code § 9-5-2(B)(3).

LLUPA provides that a local government may grant a conditional use permit “when it is not in conflict with the [comprehensive] plan.”<sup>42</sup> The Comprehensive Plan not only identified affordable housing in Valley County as a “striking need,” but also included as one of its goals to provide the community with “adequate...affordable housing.”<sup>43</sup> Moreover, Valley County Code § 9-5-3(D)(2)(b) requires that a CUP applicant provide for “the mitigation of impacts on housing affordability.”

The PZC completely neglected to consider this issue and how the SGLF would impact the availability of affordable housing. The CUP application summarily and without support states that the proposed SGLF would have an “indirect positive impact on housing affordability.”<sup>44</sup> There was, however, no report nor data provided to support this contention.<sup>45</sup> In its comment letter, SSFS provided conflicting evidence that in other rural communities, providing high-paying jobs that reduce unemployment often have the negative consequence of significantly increasing the cost of housing.<sup>46</sup>

Despite this conflict in the facts provided, both Midas Gold and the PZC completely disregarded this issue. As such, PZC’s decision to grant the CUP violates LLUPA because PZC has not shown that the CUP application is consistent with the Comprehensive Plan, and it is inconsistent with Valley County Code.

**V. CUP 20-12 does not adequately address or mitigate for impacts from transportation of hazardous materials through the County.**

Midas Gold described its activities at the proposed assay laboratory at the SGLF as akin to a “highschool chemistry laboratory.”<sup>47</sup> This analogy does not satisfy Valley County Code § 9-5-3(D)(2) requirement to “address...how these impacts are to be minimized.” While on its face, the analogy may hold some water--that is, Midas Gold is not processing mined ore at the SGLF. But more broadly, it does not accurately, or adequately describe the extent and use of hazardous material that will be transported on County roads to and from the SGLF and the SGP.

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<sup>42</sup> Idaho Code § 67-6512(a).

<sup>43</sup> Valley County Comprehensive Plan at 42.

<sup>44</sup> Impact Report at 2-2.

<sup>45</sup> The application references the Highlands Economic Report, but it is neither attached to the application nor is there any indication that the Planning and Zoning Commission was able to access and review this report.

<sup>46</sup> Save the South Fork Salmon July 8, 2020 comment letter at 5.

<sup>47</sup> PZC July 16, 2020 public hearing video recording at 57:50.

Midas Gold states that chemicals such as cyanide will not be stored at the SGLF.<sup>48</sup> However, regularly proposed transshipments, which include, among others, sodium cyanide, ammonium nitrate, and potassium amyl xanthate, will stage at the SGLF before continuing on to the mine site.<sup>49</sup> There is a high likelihood that during winter conditions these hazardous substances will spend some extended period of time at the SGLF when the proposed Burnt Log road to the mine, at an elevation of 8,000 feet, cannot be kept open. When the trucks arrive at the SGLF and the road is unsafe for travel, the trucks will need to stand by somewhere, presumably at the SGLF. Currently, there is no plan for safely dealing with a bulk carrier of hazardous materials sitting in the parking lot of the SGLF potentially for days or weeks. This point must be addressed prior to approval of CUP 20-12.

These hazardous chemicals transshipments will travel on state and county roadways regularly before arriving at the SGLF or SGP. These transshipments will not be the responsibility of Midas Gold before arriving at their final destination, which is assumed to be the mine site where the candid briquets will be dissolved and transferred into storage silos.<sup>50</sup> Estimates in the SGP PRO indicate over 5,000 round trips per year into and out of the mine site carrying ore processing supplies, over 700 round trips per year carrying explosives, and over 500 round trips per year carrying fuel.<sup>51</sup> This amounts to roughly 85,000-100,000 round trips of hazardous materials over a 12-15 year mine life. Added to this is the over 5,000 total daily hauls of antimony concentrate out of the mine site that will not only place an immense burden on the County's road infrastructure, but also further increase risk of unintentional traffic incidents.<sup>52</sup> Midas Gold notes its track record of 134 fuel hauls without incident.<sup>53</sup> While this safety record is notable, the estimated number of trips carrying hazardous materials during mine operations is 1,000 times greater, and may not have the same winter month fuel haul restrictions that were in place during Midas Gold's Golden Meadows Exploration project.

There is no mention of any risk analysis of traffic incidents anywhere in the CUP application's discussion of hazardous material, nor was there at the public hearing. If this analysis is included within the larger federal environmental analysis of the SGP, then the PZC cannot make a reasonable decision now regarding the mitigation of the impacts anticipated from these heavy vehicle loads carrying hazardous materials.

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<sup>48</sup> *Id.* at 2:19:40.

<sup>49</sup> *Id.* at 2:20:55.

<sup>50</sup> PZC July 16, 2020 public hearing video recording at 2:20:00.

<sup>51</sup> SGP PRO at 12-6.

<sup>52</sup> *Id.*; *See also* Midas Gold Corp. Presentation dated July 8, 2020 at 8, available at: <https://www.midasgoldcorp.com/site/assets/files/2384/2020-07-08-cp-max.pdf>.

<sup>53</sup> PZC July 16, 2020 public hearing video recording at 2:21:25.



The PZC's discussion about transport of hazardous materials focused on transportation between the SGLF and the proposed mine site.<sup>54</sup> Although the PZC Commissioners discussed briefly the regulation and chain of custody for hazardous materials,<sup>55</sup> PZC disregarded the fact that all of these hazardous materials **will regularly be travelling through communities and town centers** within the County's boundaries, whether coming from the north or south on State Highway 55. These materials will not be within the control of Midas Gold or its convoys from the SGLF to the proposed mine site. And, there would be no reason to elevate the risks associated with transportation of these hazardous materials through Valley County without the proposed SGP.

In its comment letter to PZC, Save the South Fork Salmon stated, "Planning and Zoning Commission would be negligent by not requesting this information and making disclosure of this information **contingent upon approving this conditional use permit.**"<sup>56</sup> Simply relying on a claim by the applicant is insufficient to fulfill this request. Compounding the matter is that the scale and scope of the mining project is yet to be determined, which is why **it is imperative that as a condition of CUP approval that Midas Gold disclose hazardous materials information in an easily accessible public database (such as a website specific to their operation) so the general public can be aware of what type (material safety data sheets), how much (quantities and frequencies of shipments), and when (specific dates, times, and routes) these hazardous materials are being shipped in and out of the SGLF and the proposed mining project.** As a matter of safety and the public's ability to make their own decisions regarding if and when to travel on the Warm Lake Road so to minimize their own risk of confronting these hazardous materials, readily available disclosure of this information must be incorporated as a condition of approval for CUP 20-12.

## CONCLUSION

As discussed above, the approval of CUP 20-12 is arbitrary and capricious; it is not based on substantial evidence in the record; and it is not in accordance with the law. First, it is premature to approve CUP 20-12 now--years before it will be constructed--or prior to federal approval of the mine for several reasons. It is impossible to know what the true impacts of the SGLF will be without an accurate assessment of the baseline environmental, economic, and social conditions of Valley County for the time when the SGLF is proposed to be built. It is impossible to know what the scope and thus impacts of the SGLF without the federal approvals being complete. The decision to approve the SGLF based on making

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<sup>54</sup> *Id.* at 2:32:04.

<sup>55</sup> *Id.* at 2:42:10.

<sup>56</sup> Save the South Fork Salmon July 8, 2020 comment letter at 11 (discussing the inadequacy of Midas Gold's Impact Report concerning hazardous materials transport).

sure Midas Gold's progress was not hindered is not a permissible factor to consider. Second, the discrepancies in traffic data were not addressed by the PZC, and so addressing traffic issues and mitigation can not be reasonably done, as required under Valley County Code. Third, the PZC did not resolve how approving a 25-acre industrial complex in the middle of agricultural land is consistent with the Comprehensive Plan. This incompatibility of the land use also raises the issue of the prematurity of the application; the current PZC should not commit a future PZC and the public to land use decisions for which they cannot adequately assess whether it is in the best interest for the health, safety, and general welfare of the public. Fourth, the PZC completely failed to consider the impacts to affordable housing, or require mitigation that would minimize those impacts. And, finally the PZC failed to recognize the extent of the issue of hazardous materials transport through communities within Valley County and provide any conditions to the permit that would ensure this information is readily available to the public.

Save the South Fork Salmon therefore urges the County Commissioners to sustain the appeal and invalidate the PZC's approval of CUP 20-12 at this time.

Respectfully submitted this 27th day of July 2020.

A handwritten signature in black ink, appearing to read 'Fred Coriell', is written over a faint, illegible stamp or watermark.

Fred Coriell  
President, Save the South Fork Salmon, Inc.



# Valley County Planning & Zoning Commission

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Johanna Defoort, Chairman  
Scott Freeman, Vice-Chair

Ed Allen, Commissioner  
Brian Benton, Commissioner  
Ray Cooper, Commissioner

## MINUTES

Valley County Planning and Zoning Commission

July 16, 2020

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

**A. OPEN:** Meeting called to order at 6:05 p.m. Quorum exists.

P&Z Administrator – Cynda Herrick:	Present
P&Z Commissioner – Ed Allen:	Present
P&Z Commissioner – Brian Benton:	Present
P&Z Commissioner – Ray Cooper:	Present
P&Z Commissioner – Johanna Defoort:	Present
P&Z Commissioner – Scott Freeman:	Present
P&Z Technician – Lori Hunter:	Excused

Chairman Defoort explained tonight's public hearing procedures which are based on the Governor's current requirements for Covid-19. The public can livestream the meeting and may testify either in person or telephonically.

**C. OTHER:**

**1. C.U.P. 15-06 Shoreline Chalets – Placement of Park Models on RV Pads (Action Item)**

Chairman Defoort asked for the presentation from Staff. Staff stated Mr. Rhoads wants to place park models on RV sites at the RV park where the Shoreline Chalets are approved temporarily. They would be removed in the future. Staff wanted confirmation from the P&Z Commission of the placement. She did talk to the fire department and they had no concerns. Mr. Rhoads explained his plan.

Brian Benton moved to allow placement of the park models. Commissioner Cooper seconded. Motion carried.

**D. OLD BUSINESS:**

Chairman Defoort asked for opponents who were on the phone. There were none.

Chairman Defoort closed the public hearing.

The Commission deliberated.

Commissioner Cooper said his concern was the more permanent facility. It would blend in with the existing county facility. Commissioner Allen would like to see it budgeted within 3 years – has a problem with the Quonset huts. It needs to be a positive move forward for the future – not a band-aide project.

COA: If the centralized location is successful, they shall place a more permanent structure instead of a sprung structure.

Commissioner Freeman moved to approve C.U.P. 20-07 with the conditions as stated. Commissioner Cooper seconded the motion. Motion carried unanimously.

Chairman Defoort explained the ten-day appeal period.

#### **E. NEW BUSINESS:**

- 1. C.U.P. 20-12 Stibnite Gold Project Logistics Facility:** Midas Gold Idaho INC is requesting a conditional use permit for a facility to support mining operations. It would include four buildings: an administrative office/assay laboratory, warehouse, hazardous materials storage, and a core sampling and storage building. The proposal includes parking facilities, a truck staging area, and a laydown area. The 25-acre site is adjacent and east of Warm Lake Road, approximately 8.5 miles east of Highway 55. It is parcel RP14N05E074475 located in the W ½ Section 7, T.14N, R.5E, Boise Meridian, Valley County, Idaho. *Action Item.*

Chairman Defoort introduced the item and opened the public hearing. Chairman Defoort asked if there was any *ex parte* contact or conflict of interest. Chairman Defoort recused herself due to a conflict of interest and left the facility.

Vice-Chairman Freeman assumed the role of Chairman.

Vice-Chairman Freeman asked for the Staff Report. Staff presented the staff report and the following exhibits:

- **Exhibit 1** - Applicant's response to the Staff Report
- **Exhibit 2** - Proponent letters since completion of the Staff Report
- **Exhibit 3** - Opponent letters since completion of the Staff Report

Commissioner Allen asked staff if there were other applications similar to this. Staff clarified the question and stated there are no other application similar to this in regards to the timing and sequencing issue. She stated each application is unique.

Vice-Chairman Freeman asked for the applicant's presentation.

Kyle Fend, Midas Gold, made the following comments:

- Presented **exhibit 1**
- This is to evaluate the logistics facility, not the mine.
- Function is to house the administrative facility and bring the jobs closer to the valley then people can come home to their families every night.
- Parking prior to being shuttled to the site.
- Will facilitate delivery of FedEx/UPS and not sending deliveries to the mine – consolidation.
- Have looked at many sites to function as this operation.
- Want to reduce the environmental impacts by reducing traffic.
- Design is environmentally sensitive.
- Has done wetland delineation and it has been submitted to the Corps of Engineers.
- Will unencumber traffic in towns.
- Read response to staff questions.
- Inserted it is not uncommon to run parallel permits. After this will need to get building permits, DEQ permits, etc.
- Has no objections to the proposed conditions of approval.

Commissioner Cooper asked about number of employees.

Commissioner Allen asked about the choice of location. Did you consider trying to locate in a municipality, to increase the tax base, especially Cascade? Kyle said there were a number of constraints such as size of property, availability of property, as a company they wanted to respect the tourist culture in the cities by not putting a light industrial use of this size inside a town. Locating on Warm Lake RD next to Cascade allows for benefits without the negative impacts.

Commissioner Allen asked about the other approvals. Normally approvals are done in a month or two. Kyle said this is a sequential thing...hard to move a substation to this site if we do not have the CUP to place it there. There are a lot of parallel tracks to move project forward as a whole.

Commissioner Allen asked about the facilities being left at the end of the mine operation. Midas won't keep the facilities and will sale at the end.

Commissioner Allen asked will this CUP approval die if the mine is not approved. The applicant responded that if there is no mining permit they will not build the facility.

Commissioner Cooper asked traffic questions. Jordan Nielson, Boise, ID, addressed the intersection at Warm Lake RD and Highway 55. Described plan going northbound and southbound. Described intersection. (**exhibit 4**)

Commissioner Cooper asked about roads to mine. Jordan said the plan is over Burnt Log.

Commissioner Cooper asked about the 20-30 employees working at the site and miners will be every 2 weeks during shift change. Jordan said they will be staggered out to site.

Vice-Chairman Freeman asked about the approaches at the site. Jordan said no turn lanes.

Vice-Chairman Freeman asked for testimony from those present. The public filtered in while observing social distancing:

Mark Sabin, McCall, was on-site to voice his support. Urges the Commissioners to take at face value and not get side tracked by "noise". This company is supportive of our communities and sees nothing in their place except outstanding operations. Good to get traffic from the towns. It would be ugly in a community and clog the communities.

Vice-Chairman Freeman asked for testimony from people on the phone.

Fred Coriell, Buckcamp, made the following comments:

- This is not a political question.
- Concerned some of the traffic issues are not fully discussed.
- Concerned with Antimony coming from the mine.
- Why do this now? Their record of decision is not scheduled for a year.
- Commented on permitting processes.
- Seems illegal to ask for this approval now. Should table until there is a mine project.
- Cynda put words in their mouth.

Ruth Lewinski, McCall, made the following comments:

- Has used Warm Lake RD all of her life.
- Studying how environment affects human health.
- Have not analyzed...infrastructure fires, heat and glare, water supply for domestic use, fire control, emergency vehicle impacts, water processing, and other items listed in her previously submitted letter.
- Discussed water retention.

Tom Welty, retired McCall physician and worked with various agencies such as CDC, made the following comments:

- Concerned with increased risk of motor vehicles and will create undue burden on the road system.
- What medical support will be available at the new facility?
- Transport of hazardous materials could impact the North Fork of the Payette River.
- Please review all of the issues brought up.

Edith Welty, MD, CDC, made the following comments:

- Has studied toxic waste dumps and superfund sites.
- 2.1.6 and 2.1.7 concerning water, hazardous chemicals on-site.
- Example of cyanide bricks stored in warehouse to extract the gold.

- Concerned with chemical runoff into Big Creek and into the river.

Melissa Coriell, McCall, made the following comments:

- Urged it not be approved prior to completion of NEPA process.
- How does approval of the CUP with associated mitigation relate to large scale mining operations?
- Concerned with risky materials being hauled on backcountry roads.

Katrin Thompson, Ashley Inn, Cascade, made the following comments:

- Would like to see CUP approved knowing that all of the other approvals have to happen.
- Pleased facility is so close to Cascade for high paying jobs and education opportunities.
- Wish tourism was higher paying, but wages are about half.
- Excited about what Midas Gold can bring for the next generation.

Jeff Abrams, McCall, made the following comments:

- Reason asking for CUP is to create perception of inevitability.
- No reason to approve this now.
- Need to shelve based on ultimate disposition of the project.
- How would Midas know what was needed.
- Facility is out of character of the travel corridor.
- Walmart parking 8 miles from the highway.
- Existing traffic is huge.

Vice-Chairman Freeman asked for any other testimony from the public on the telephone. There was none.

Vice-Chairman Freeman asked for rebuttal from the applicant.

Kyle Fend, made the following comments:

- Trying to be diligent in trying to move forward.
- Mine permitting does not dictate use on private property but will be considered in permitting process.
- Addressed hazardous waste on-site. Cyanide will not be at this site. Specialized tankers will haul. Cyanide briquettes only leave the trucks at the mine site.
- There are convoy protocols for hauling hazardous materials and fuel.
- Emergency medical facilities are not needed at this site. There will only be 26 – 30 people at the site; there will not be a lot of emergencies for them. After 55 months, no injuries except a sprained muscle wading through the snow.

Jordan Nielsen stated they are not asking to look at the entire project this is for the logistics facility. The NEPA project will look at the entire site. There are over 50 permits needed...would go bankrupt if had to do one after the other and not process in parallel.

John Myer, Midas, stated that there is no cyanide being stored at this site. Are taking a methodical approach in applying for CUP. They are 4 years into the permitting process. This



facility is for accountants, and other office personnel. Felt this was the appropriate time to apply for this facility. It cannot be done all at once, it has to be done over time.

Kyle Fend said the EIS, CUP, IPDES permitting, and other large permits are running in parallel.

Commissioner Cooper asked about a fire in the winter. Kyle said he has hired contractor to do thinning on the site for fire protection, placement of the fence, and considered contracting with Cascade Rural Fire. Buildings will have fire suppression.

Vice-Chairman Freeman closed the public hearing.

The Commission deliberated.

Commissioner Benton concerned this is the cart in front of the horse. Is logistics center strategically important right now? Understand from a business standpoint of doing a parallel permit.

Commissioner Cooper said he sees their reasoning behind asking now. The final EIS will determine if there is a final permit for the mine. After listening to their presentations, they covered his concerns such as the traffic impact. Traffic in Valley County is going nuts. His concern was from the facility to the mine. He understands why they are asking now; they are getting ducks in a row.

Commissioner Benton talked about outside noise. Jobs would be great and not relying solely on service jobs. Overall, if this goes, the economic impact would be tremendous. Like Mr. Sabin said, there is a lot of negative noise with misinformation. There is a chain of custody handling for hazardous materials. He had an industrial chemical franchising company and it is a no brainer that it will be handled with chain of custody.

Commissioner Allen made the following comments:

- Really the counties only jurisdiction is for this type of facility.
- They have permits and inspections and reacting to a need.
- They are asking to bundle permits and he understands.
- Agrees this is premature. It will be a few years before it happens.
- When this is needed, we will have different P&Z Commissioners and County Commissioners.
- Concerned with impression of an approval.
- Are we comfortable with this plan? Are we going to ask them to revisit something

Question: If it was all approved today would we approve tonight? Commissioner Benton stated they do have a good plan.

Vice-Chairman Freeman commented that chemical concerns are so regulated.

Is the project a good project at this site? General consensus was yes. Moving of infrastructure (substation). Could be a number of uses out there in the future, it is private property. Vice-

Chairman Freeman likes the package and thinks it is approvable...Commissioner Benton agreed. If approved it will be appealed, it will go to court and will take at least a year; if we wait until EIS, then out another year and a half.

Commissioner Benton stated they have addressed lighting, wetlands, traffic, substation, hazardous waste, etc.

Commissioner Cooper stated this does not belong in a town such as Cascade, especially along the scenic byway.

Is the timing the right time? Commissioner Allen thinks it is premature.

Commissioner Benton moved to approve CUP 20-12. Commissioner Cooper seconded the motion. Motion carried. Commissioner Allen opposed.

Vice-Chairman Freeman explained the ten-day appeal period in accordance with Valley County Code 9-5H-12.

Vice-Chairman Freeman adjourned the meeting at 9:12 p.m.

All,

Thank you for the opportunity to answer questions and present our application for the Stibnite Gold Logistics Facility. My name is Kyle Fend; I am the Field Operations Manager for Midas Gold Idaho. I appreciate the thorough review your staff has conducted.

Today, I have with me two of our technical experts that are here to help assist and answer any of your questions. I have John Meyer, our lead engineer and Jordan Nielsen our senior hydrologist. Both have vast expertise and experience and know the project inside and out.

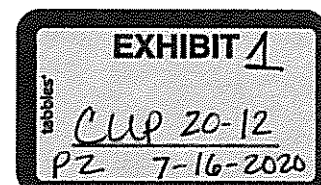
As we walk through your questions today, it is first an important reminder that the role of this permit application is not to debate the merits or impacts of the Stibnite Gold Project. Instead, it is to evaluate the proposed Logistics Facility under Valley County Planning and Zoning Ordinances and the Comprehensive Plan. The 250-page application is detailed and exhaustive, but I am happy to have the opportunity this evening to walk through any questions that might remain.

The function of the facility is to:

1. House administrative, logistics and lab staff off-site, **bringing jobs closer to home.**
2. Provide a place for employees to park before being shuttled to the Project in busses, **reducing traffic, reducing vehicle emissions, and increasing public safety.**
3. Consolidating shipments, which allows us to reduce the number of vehicles and better **coordinate when vehicles are going to site** to help accommodate recreation traffic, holidays, and safer travel overall.

We designed the facility from the beginning to do the following:

1. **Keep Jobs Local:** Bringing jobs from the mine site and into town provides opportunity for dozens of well-paid jobs right here in this community where people can go home every night vs. the two-week rotation of jobs on site. This is in direct support of the Comprehensive Plan and it supports our commitment to hire locally and promote a more diverse workforce.
2. **Reduce Traffic:** One of the primary reasons for this facility is to reduce the overall burden on our roads—both improving public safety and reducing environmental impacts. Overall, based in studies, our project will represent a 1% increase in traffic along State Highway 55. This facility allows us to shuttle our workforce to site, reducing employee traffic on Warm Lake and Burntlog Roads by 90%.
3. **Corporate Responsibility and Community Benefit:** Midas Gold will be funding tens of millions of dollars' worth of public infrastructure upgrades associated with the facility, including intersections and powerline upgrades that the entire region, residents, and businesses will benefit from.
4. **Reduce Environmental Impacts:** The function of the facility is to reduce our impact by reducing traffic. We've also designed the facility to be environmentally sensitive, from incentivizing carpooling to using Dark Skies compliant lighting and specific placement of facility features to reduce impacts on wetlands.
5. **Preserve Character:** By placing the facility here, where it and the substation will be well screened by existing trees and vegetation, we preserve the character of our cities—allowing our towns to be pedestrian centers for tourism, unencumbered by employee and business traffic.



### Will there be 24 hour per day security guards at the facility?

Yes, safety is our top concern. There will be a security guard onsite, 24 hours a day, seven days a week.

### What is involved in the disposal of hazardous waste with the Resource Conservation and Recovery Act requirements? Is it federal? Who enforces and/or monitors?

Let me first clarify that the Logistics Facility is not a Hazardous Waste facility. If anything, small amounts of waste would be temporarily stored prior to transportation and disposal at an appropriate waste facility. The waste at the facility –in volume and type--would be comparable to a high school chemistry lab, except we are going to greater lengths to safely dispose of materials.

And yes, it is federally regulated, which means it will be under constant review and auditing.

- I should also clarify that any hazardous waste from Stibnite will not be stored at the Logistics Facility. Any waste at the facility will be what may be produced from the small-scale assay lab.
- Any such materials generated onsite at the logistics facility will be temporarily stored in an enclosed building in appropriate containers and moved off site to regulated disposal sites on a regular basis.
- See Table 3-1 Generator requirements out of the site waste management plan handout.
- The Resource Conservation and Recovery Act (RCRA) is the federal law that creates the framework for the proper management of hazardous and non-hazardous solid waste. The law describes the waste management program mandated by Congress that gave EPA authority to develop the RCRA program. It requires regular inspections and strict management policies.

The chemicals located on site include:

Common Name	Chemical Formula	Physical State	Use 1	Use 2
37% Hydrochloric Acid	HCl	Liquid	For Au, Fe, As, Sb Analysis: Combines with Nitric to form Aqua Regia, to bring metal into solution	In CO3 analysis. CO3 by difference reacts with carbonates to remove them from other carbon species
65% Nitric acid	HN03	Liquid	For Au, Fe, As, Sb Analysis: Combines with HCl to form Aqua Regia, to bring metals into solution	NA
Bromine, elemental	Br2	Liquid	For Fe, As, Sb Analysis: oxidizes sulfur species that are created during aqua regia digest, releases metals into solution	NA
Acetylene	C2H2	Gas	Fuel for Atomic absorption (AA) Analysis. Creates hot flame to dissolve, atomize metal solutions	NA
Nitrous Oxide	N2O	Gas	auxiliary oxidant for As analysis by AA. Used with Acetylene. Creates hotter flame than Acetylene alone -decreases flame absorption of 193 nm light	NA
Oxygen	O2	Gas	Oxidant. Used in the combustion -IR (leco) analyses step of CO3 analysis	NA
Litharge, Lead oxide	PbO	Solid	Source of Lead. Used in fire assay to capture and amalgam gold during the fusion process. Also helps form the slag	NA
Iron	Fe	Solid	Accelerator. Used in the combustion - IR analysis. Transfers energy from the RF induction coil to the sample to assist combustion	
Tungsten	W	Solid	Accelerator. Used in the combustion - IR analysis. Transfers energy from the RF induction coil to the sample to assist combustion. High density prevents "splashing" of molten fusion	

**In response to some of the comments received:**

- Regarding the Emergency Planning and Community Right-to-know Act (EPCRA), Midas Gold has complied with all reporting requirements of the act since 2012 and will continue to do so for all its facilities in accordance with the law in the future.
- In terms of emissions connected to the proposed logistics facility, here is a response from our technical experts.
  - o *The conditional use permit application proposes a Logistics Facility on Warm Lake Road to support the Stibnite Gold Project site located approximately fifty miles northeast of Cascade. Commenters requested additional information to support the July 16, 2020 Staff Report recommending conditions for approval of the permit. The Staff Report, among other conditions, does not relieve the applicant from complying with applicable laws and regulations, such as air quality emissions regulations implemented by the Department of Environmental Quality, see Condition 4.*
  - o *Estimates and regulation of emissions from the proposal will be timely and appropriately evaluated by the applicant in accordance with State rules prior to construction or installation of that emission generating equipment. **In the event that emissions from the proposal trigger permitting by the State of Idaho, then an application will be submitted to the Idaho Department of Environmental Quality.***
  - o *As noted in the Staff Report, commenters requested more information on particulate emissions during construction and operation, plus information on the volume and frequency of vehicle trips (truck and bus traffic) to and from the Logistics Facility. As stated in the application, normal emissions of particulate matter are anticipated during construction and operation of the Logistics Facility. Information on traffic flow is available in the application's Transportation Impact Study, Sections 4 and 5, included with the conditional use permit application. Specifically, information on heavy truck traffic is provided in Section 4, while traffic estimates during construction and operation are provided in Section 5. With respect to particulate emissions associated with this activity, the applicant will evaluate vehicle emissions to the extent required by the Idaho Department of Environmental Quality permit to construct regulations during a timely and appropriate review subject to applicable air quality requirements. During that air quality review, required by State law, evaluations of emissions from equipment in the laboratory used during operation will also be completed to comply with air quality regulations. **In the event that emissions estimates require permitting from the Idaho Department of Environmental Quality, the applicant will submit an application and obtain a permit prior to commencing construction of the Logistics Facility.***

Can you increase setback along Warm Lake RD in order to retain the fringe trees so that the 8' chain link fence with wire on top is not as visible to people passing by on Warm Lake RD?

Our goal at this location is to minimize impact. Retaining the tree fringe along the roadside is a great way to provide a visual barrier.

- The existing livestock fence, at the property boundary, is already set ~20+ feet inside the tree line and the new fence would follow this existing fence line.
- It is important to Midas Gold to maintain the same visual character as much as possible through preservation of natural barriers. We will absolutely maintain trees along the roadside to create a visual barrier.

Will there be slats in the chain link fence?

That's a good question. While we did not anticipate slats, we would certainly follow the commission's guidance on incorporating slats if desired on the roadside portion of the perimeter fence.

What will happen to the buildings after reclamation of the mine?

The facility will operate through the end of reclamation and closure. Once Midas Gold no longer needs the facility, it could be sold for other business uses. However, the previous owner has a first right of refusal on the property.

**MIDAS GOLD IDAHO RESPONSES TO STAFF QUESTIONS, July 16, 2020**

**What will be your participation in the recommended intersection improvements listed in Table 25 on page 45 of the application?**

We are fully engaged with local entities and ITD to design these intersections in such a way that meets ITD requirements and community needs. Midas Gold will cover, as required, our portion of cost of the upgrades.

- o If you would like to know more specifics about the design or design considerations, I have Jordan Nielsen here with me today. He is our lead on this portion of the project and can answer any questions you might have.

**Can parking lot lighting be motion sensors so lights are not on when the parking lot is not in use?**

Absolutely. In fact, doing so aligns with our Dark Skies policy. The tenants of this policy are to light only what is needed with the right lighting and the right time. Using motion sensors fits with that guidance.

Additionally, following our Dark Skies guidance helped us reduce lighting at this site by about 50%. We will be using appropriate methods to minimize light pollution, including use of LEDs, downward-pointing light fixtures, timers, and motion sensors.

**What is the substation shown on the plans? Who will own the substation shown on the plans? The site plan shows an undisturbed area, but the grading plan shows a substation. Please describe the association with Idaho Power.**

The substation identified on the grading plan is a way to consolidate our project footprint and help existing residents.

Our project requires that Midas Gold upgrade the existing transmission line from Lake Fork to Stibnite. With this comes upgrading substations. These improvements are at Midas Gold's expense and will benefit the region through adding additional capacity and reliability of service.

- o The substation needs to be improved. So, in consultation with Idaho Power it was identified that we could move the existing substation to the Logistics Facility. Idaho power will retain ownership of the sub-station

The benefits of this are:

- It allows for a larger substation—which will provide greater reliability to the overall power corridor for Valley County residents and businesses.
- It consolidates the industrial footprint to one property, rather than spread out among two.
- The new upgraded substation would be sheltered from view by the visual barrier of the retained tree line—whereas the existing substation is not sheltered from view.
- The current substation would be removed, and the land reclaimed upon completion of the new substation.

**Please address the water quality and wetland issues brought up in various correspondence.**

Water quality and wetlands are extremely important to us.

In order to do business, we have to prioritize the protection of water and habitat and are committed to doing so because it is the right thing to do, because it's the law and because it is the only way for us to run a successful business.

**Regarding Water Quality :**

- There are no existing well(s) location upon the property to collect water samples from to evaluate groundwater and it seems premature to drill a well before first obtaining a CUP for the property and the

**MIDAS GOLD IDAHO RESPONSES TO STAFF QUESTIONS, July 16, 2020**

activity for which the well would be needed. Once a CUP has been issued and mine permits received, we will be able to then drill the required wells to collect proper water samples and evaluate existing groundwater resources.

- However, the area is covered and included within a 2005 Idaho Water Resources Research Institute from the university of Idaho ([http://www.deq.idaho.gov/media/474193-water\\_data\\_reports\\_ground\\_water\\_cascade\\_hydrogeology\\_iwrrri\\_report.pdf](http://www.deq.idaho.gov/media/474193-water_data_reports_ground_water_cascade_hydrogeology_iwrrri_report.pdf)). The report identifies regional hydrogeologic conditions within the valley which indicate an ability to support the needs of the proposed action.
- Midas Gold has also collected 13 quarters of surface water quality data from Big Creek adjacent to its proposed Logistics Facility, upstream and downstream of the property boundaries and would be willing and is already anticipating to continue that quarterly monitoring throughout the duration of this CUP issuance.
- IDEQ's Groundwater Quality Monitoring and Protection website (<https://mapcase.deq.idaho.gov/gwa/>) Indicates the section of Big Creek adjacent to the Logistics Facility parcel as Fully Supporting its Assessed Beneficial uses.

#### **Regarding Wetlands and Stormwater Management:**

We designed the Facility to specifically address storm-water management best practices and the parking areas specifically model known and commonly practiced designs and materials in Valley County. Kelly's White-Water Park is a great example of a combination of gravel and paved parking areas.

- **PARKING:** It is important to note that Midas Gold does not propose to pave all of the parking areas within the facility area. The only paved areas will be those around the Bus Parking, Administration and Lab Building and the Warehouse parking.

The remaining areas are proposed to comprise a permeable gravel subbase, which helps support stormwater management. This is akin to the gravel and paved parking areas at Kelly's whitewater park adjacent to the Payette River in Cascade or the gravel and paved parking areas that service Legacy Park and Mile High Marina, adjacent to Payette Lake in McCall.

- **WETLANDS:** Midas Gold is not proposing to allow uncontrolled runoff as it is recognized that uncontrolled runoff can have negative effects upon wetlands (Natural Wetlands and Urban Stormwater: Potential Impacts and Management, U.S. Environmental Protection Agency Office of Wetlands, Oceans and Watersheds, Wetlands Division Washington D.C. 1993).

We specifically designed the facility to take into consideration the natural topography and location of wetlands to avoid adverse impacts. Midas Gold has designed and shown placement of Best Management Practices (BMP's) known to mitigate the negative effects of uncontrolled stormwater management on Wetland resources.

- As stated by EPA, the use of wetlands has been used for controlling stormwater runoff for decades: (Uses of Wetlands in Stormwater Management, U.S. Environmental Protection Agency, December 1990)
- **STORM WATER MANAGEMENT:** Storm Water Management Plans are managed by EPA and will soon be transferred to the Idaho Department of Environmental Quality and we will work through them to ensure compliance.

As indicated in the conditions of approval items, and in accordance with Midas's best practices and state requirements, a site specific SWPPP will be prepared and submitted to the county engineer for review prior to the commencement of construction and to the Idaho Department of Environmental Quality (IDEQ).

- **HAZARDOUS MATERIAL:** No hazardous waste materials will be stored outside the identified enclosed storage area thereby eliminating the potential for interaction with stormwater.

Do you anticipate starting construction of this facility prior to approval of the activities at Stibnite?

No, Midas Gold does not anticipate starting construction of the logistics facility until a final EIS record of decision is received.

Some of the correspondence identified various areas of the Comprehensive Plan that address the rural character and small-town feel being retained. The Comprehensive Plan also addresses this specific issue in Chapter 9 Economic Development.

It is important to clarify that the logistics facility is not akin to a heavy industrial park. The Logistics Facility fits on the lower end of a light industrial facility description, comprised of offices, warehouse, employee parking and small-scale assay lab. This is similar to many businesses in Valley County.

It could quite easily be compared to Franklin Building Supply in that there is office/storefront space, warehouse buildings, and a gravel laydown yard.

**As It Relates to the Comprehensive Plan:**

Approval of the Logistics Facility directly achieves multiple goals of the Comprehensive Plan by bringing in private investment to public infrastructure, bringing in steady, year-round jobs, diversifying the economic base and adding new business opportunity while preserving the character of the region.

- **Chapter 7 – Transportation – Goal I – Objective 8,**
  - o Midas Gold is voluntarily agreeing to fund the needed road improvements (at the three identified intersections) that could be impacted by our activities, regardless of whether they were already deficient or not.
  - o In fact, some of the intersection improvements are needed more because of continued growth in the region and not solely because of any impact we may bring.
- **Chapter 9 – Economic Development – Goal I - To promote and encourage activities which will maintain a strong and diverse economy by (Objective 3)**
  - o The objective clearly promotes “Maintaining the important role of the timber industry, tourism, outdoor recreation, **mining** (*emphasis added*) and agriculture in the local economy”
  - o A diverse economy will help this region weather economic downturns. As an essential industry, mining can and will help build resilience in the local economy.
  - o Locating the logistics facility 8 miles from HWY55 helps the commission directly accomplish objective 3 by locating dozens of full-time, Monday-Friday, well paid jobs just minutes from business center of the region rather than at site.
- **Chapter 11- Public Facilities, Utilities and Services Goal II: To assure that new development pays for its own impacts on facilities, utilities, and services**
  - o Midas Gold is proposing to pay for the upgrades needed to offset its impacts to the three identified intersections. This will have a positive impact on the residents and businesses who rely on this public infrastructure and relieve an already overburdened system.
  - o Additionally, Midas has been working closely with Idaho Power to upgrade the transmission line running from the Lake Fork Substation out to the proposed Johnson Creek substation. This includes paying for all the permitting, engineering, infrastructure upgrades (some already



scheduled within Idaho Powers comprehensive plan), and line upgrades with no additional costs due to the existing rate payers. Satisfying both objectives of this goal.

- In addition, the realignment of the powerline route will move it away from residences, which is an express desire of local landowners.

- Chapter 13 – Land Use

- The area proposed for the Logistics facility is designated as a rural area. As stated in the designation “Land use in Valley County is multiple use”. Commercial and industrial uses are allowed in rural areas but are encouraged to locate in cities and city areas of impact, villages, and tourist hubs.
- As indicated in the application, the selection of the location for the logistics facility was strategic for the operation of the Stibnite Gold Project, but Midas Gold staff considered many elements and locations throughout Long Valley before deciding upon the existing location.
  - The existing location was chosen specifically for the recognition of potential impacts to cities and the importance of tourist hubs, and the fact that placing the facility near an urban center may unnecessarily congest a pedestrian or tourist centric location or interfere with other businesses. Whereas the existing location was distal in nature and surrounded by forested lands and grazing thereby reducing impacts to residents and visitors.
- By acting as a hub to reduce traffic to the project, it helps preserve the rural characteristics of the roads and area between the proposed Logistics Facility and the Mine Site.
- The logistics facility also allows us to maintain daily commuting by workers from Cascade, Donnelly and other Valley County communities whereas locating at site would not, making jobs less available to local residents, such as those with young families
- Locating the facility here will reduce traffic on Warm Lake road past the logistics facility to site with the attendant benefits.
- Locating the facility in a community like Cascade or Donnelly would increase traffic in communities and on Hwy 55 as vehicles from the south continue to Donnelly (were the facility there), or those from the north continue to Cascade (were the facility there) and return from whence they came.

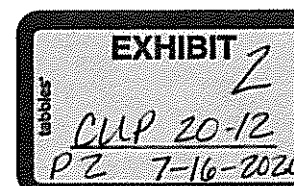
## Proponents of CUP 20-12 Stibnite Gold Project Logistics Facility

### List of similar comments:

- Will mitigate concerns of transporting materials and people to and from mine site.
- Will reduce the number of employees trips to the mine site....provides a parking area.
- Evidence of listening to the citizens.
- Will clean-up old mine site and alleviate environmental concerns.
- Well thought out.
- Beneficial to the community.
- Will provide high paying local jobs with benefits.
- Year around employment opportunities
- Will consolidate loads to and from Stibnite of goods and employees....decrease carbon footprint.
- Will be a traffic control.
- Will decrease wear and tear on Warm Lake RD
- Midas Gold are excellent neighbors, patrons, steward of the land, and active participants in the local communities.
- Midas supports local businesses.
- Will bring jobs closer to the community.
- Will promote the local economy.
- Hours of operation are weekdays.
- Will reduce noise and light pollution near the Cascade community.
- Will provide opportunity for young adults to stay in Cascade.
- Midas will assist the schools.
- Will enable the placement of fiber optics in Warm Lake RD.
- Positive Impacts outweigh negative impacts.
- Cannot just rely on tourism.
- Cascade needs this for living wage jobs.

### Citizen:

- Kaleb Arnold, Cascade
- Janet Reis, McCall
- Jack Knoblock, Warm Lake RD, Cascade
- Josh Davis, Warm Lake RD, Cascade
- Brian Hines, Cascade
- Jim Hinson, McCall
- Gene Tyler, Donnelly
- Jason and Trisha Speer, Cascade
- Carol Hines and David Elliott, Valley County
- Carol Arnold, Cascade
- Cec Tyler, Donnelly
- Willie Sullivan, Yellow Pine
- Bill Coughlin, Cascade
- Ron Platt, Donnelly
- Jean Luze Revaul, Donnelly
- Ashley and Katrin Thompson, Cascade
- F. Phillip Davis, Cascade
- Dave and Doris Paulsen, McCall



July 15, 2020

Dear Planning & Zoning Administrator Herrick,

My name is Phil Davis & I live at 19 Warm Lake Hwy, Cascade. I am a business owner and a property owner in Valley County.

I'm writing today regarding the Planning & Zoning Commission's consideration of a conditional use permit for the Midas Gold logistics facility. As a resident on Warm Lake Hwy, the location of this facility in Scott Valley makes considerable sense to me, my family & many other people that call this wonderful area home and, as a result, I am hoping you would grant the company this approval.

I am especially interested in how Midas has designed its plan for the Stibnite Gold Project with the region's best interest in mind. Why else would they spend so much effort to minimize traffic? The company plans to use the warehouse as a collecting point to carpool nearly 90 percent of their employees to site and have committed to doing it during weekday hours, which further minimizes any impact to those of us who live along the transportation route and that love unfettered access to our pristine outdoor recreational opportunities on weekends and holidays.

This is a company that, for the last 10 years, has been working to design a plan, in consultation with local residents that not only will bring sorely needed non-seasonal jobs to the region but also places an extremely high emphasis on the environmental impacts of the project. And having this logistics facility here, is further evidence of their ongoing commitment.

This new facility will bring many full-time, well-paying jobs to Cascade, which means more tax revenue and investment in our community schools and public services. The company is clear that these jobs will first go to local individuals, elimination a strain on existing housing by not bringing in new residents. These jobs will support a family for years to come and the best part is Midas' commitment to hiring locally. These jobs aren't going to people from outside our community, they're going to our friends and family and that's important to me. Cascade has suffered greatly from a lack of living wage jobs since the mill closed. Midas will help put Cascade back on track. Midas is planning to invest millions of dollars in cleaning up the site—which, if anyone has forgotten, isn't in the best shape after years of neglect. Midas is the only one coming to the table with a plan and the financial resources to finally restore Stibnite to its original pristine beauty, restore the stream, and clean up the ground contamination. All this damage was done years before Midas entered the picture and a decade from now, our children and grandchildren will have Midas to thank for fixing a mess someone else created.

In summary, I appreciate your work and service to our community by doing your due diligence in considering this conditional use permit for the warehouse and logistics facility. However, at the end of the day, I would encourage your support and approval of this permit.

Thank you for your time and consideration.

F. Phillip Davis

RECEIVED  
JUL 15 2020

**Midas Gold**

Katrin Thompson &lt;katrin@theashleyinn.com&gt;

Wed 7/15/2020 2:00 PM

To: Cynda Herrick &lt;cherrick@co.valley.id.us&gt;

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: Approve Conditional Use Permit 20-12 for the Stibnite Gold Logistics Facility

Dear Cynda Herrick,

We are writing to express our support for the construction of the Stibnite Gold Logistics Facility inside or just outside of Cascade.

Being in the tourist business we know we are just a small part of the whole of Cascade. It is so important to have other businesses that do and can provide better opportunities with training and good wages for our Cascade community. It will also attract other employees and families to come make Cascade their home.

We are delighted that they support the Cascade Community and are not just looking out for themselves. Midas Gold has to jump so many hurdles to get the mine open and profitable. We appreciate all that they have had to do and are willing to do.

Thank you

Ashley &amp; Katrin Thompson

*Ashley & Katrin Thompson**Owners of the Ashley Inn**Cascade, Idaho**[See a Virtual Tour of the Inn](#)**[TheAshleyInn.com](http://TheAshleyInn.com)**(208) 634-6994 Katrin's Cell*

July 11, 2020

Kaleb Arnold  
PO Box 401  
Cascade, ID 83611

Ref: CUP for Midas Gold Logistics Facility

Valley County Planning and Zoning  
P.O. Box 1350  
Cascade, ID 83611

Dear Planning and Zoning Commissioners:

I am writing this letter in support of Midas Gold's request for a Conditional Use Permit (CUP) for their logistics facility in Scott Valley. Midas Gold recognizes the impact a large-scale mining operation will have on the infrastructure and traffic of Warm Lake Highway, is mindful of the risks in transporting materials and people to and from the mine site, aware of the environmental impact their transit system will impose, and seeks to build a logistics and storage facility to mitigate all of these concerns.

As a whole, the logistics facility would act as a storage area and transportation hub for the Stibnite operations. In particular, the facility would provide employee parking for mine workers, allowing the company to consolidate the transportation of employees to and from the site and reduce the number of Midas vehicles on the road to a handful.

Currently, I work for Arnold Aviation and deliver mail, freight, food, and other material to residents and businesses along Warm Lake Highway, Johnson Creek Road, the East Fork Road, South Fork Road, and in Yellow Pine. I drive this route six days every week and know that allowing for a dramatic increase in highway traffic would lead to increased wear on the road which would create hazardous conditions and utilize valuable taxpayer money to repair and maintain, not to mention the simple risk of having more people drive on a relatively narrow highway at high speeds with falling trees and rocks, steep grades, tight corners, and frequent wildlife crossings.

Midas Gold has designed its plan for the Stibnite project with the region's best interests in mind; the decision to create a logistics facility is the direct result of them engaging with Valley County residents and taking local input into account, allowing them to create a solution that has the best interests of our communities integrated with their business and operations plans. Midas Gold seeks to reopen the Stibnite mine site, providing hundreds of local jobs and restoring the badly-damaged and heavily-polluted area. In doing so, they have also gone above and beyond in ensuring their impact stays at a minimum.

It is my hope Midas' request for a CUP will be permitted. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kaleb Arnold', written in a cursive style.

Kaleb Arnold

## conditional use permit for the Stibnite Gold Project Logistics Facility

Janet Reis <janetreis172@gmail.com>

Wed 7/15/2020 10:31 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

Cc: Janet Reis <janetreis172@gmail.com>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Ms. Herrick,

I write in support of the conditional use permit for the Stibnite Gold Project Logistics Facility. I have attended the Midas community events over the years, toured the proposed site, and submitted letters of support for the proposed effort based on review of the plans for environmental reclamation, and job creation.

I would like to stress the former as a positive feature of what the project aims to do. I fully realize that mining in the past has been destructive of land and water resources. However, we are now in the 21st Century and the regulations for mining have changed dramatically. Without support from an entity like Midas, it is clear that the land will have no chance to recover.

Thank you.

Janet Reis  
15 Flicker  
McCall Idaho

July 13, 2020

Dear Commissioners:

Midas Gold's proposal to build their logistics facility near Cascade is a plan that has been well thought out and will offer a number of benefits to this community. The proposed facility is an integral part of the company's larger Stibnite Gold Project that will improve road safety, reduce traffic, provide local jobs, and reduce the impact on our environment. I am proud to support a plan that Valley County will benefit greatly from.

One of the main benefits of developing this facility will be to consolidate loads to and from Stibnite and aid employee carpooling to the mine in company buses. Consolidating loads and using buses will not only result in a reduced carbon footprint by ensuring fewer vehicles travel to the mine, but it will help eliminate increased traffic. Carpooling and precise load deployment from the logistics facility allows Midas Gold to control the timing of any traffic to avoid peak travel times.

Additionally, the logistics facility would also bring approximately 30 high-paying jobs into our community. Midas Gold has openly committed that positions like these will be prioritized for those in the local community. These positions at the logistics facility also provide a better opportunity for workers who need to be closer to their families, rather than the two-week on-off positions that are available at Stibnite mine.

**Midas Gold has thoughtfully prepared its proposal for the logistics facility by reducing the traffic flow on Warmlake Road since we live on that road and would have be negatively impacted by a heavy traffic flow.**

For the reasons I have explained above, I believe the Valley County Planning and Zoning Commission should approve the conditional use permit Stibnite Gold Logistics Facility.

Sincerely,

John (Jack) Knoblock



**GRANITE**  
**Excavation Inc,**  
**Cascade, ID**  
We're Diggin' This Business



Josh P. Davis, President

23 Warm Lake Hwy  
Cascade, ID 83611

PHONE  
(208) 382.4188

FAX  
(208) 382.4189

E-Mail: [josh@graniteexcavation.com](mailto:josh@graniteexcavation.com)

Website: [www.graniteexcavation.com](http://www.graniteexcavation.com)

July 15, 2020

Valley County Planning and Zoning Department  
Attn: Ms. Cynda Herrick

Re: Midas Gold Logistics Facility Conditional Use Permit

Ms Herrick:

I appreciate the opportunity to comment on the Midas Gold Logistics Facility Conditional Use Permit slated to be heard by your commission at a later date. Please add this letter to the record showing our full support for the Midas Gold C.U.P. After substantial research it is evident that a facility of this nature will ultimately decrease the amount of traffic while increasing public safety on Warm Lake road throughout its duration. This is very important to my family and I as both our workplace and home are located adjacent to Warm Lake Hwy. Of course less traffic reduces the wear and tear on an already deteriorated roadway system which will ultimately reduce costly repairs to the Valley County road department. Midas Gold has continually proven themselves to be excellent neighbors, patrons, stewards of the land, and active participants in our local communities. I stand behind Midas for reasons that include but are not limited to their continual procurements of goods and services from local business and suppliers. Furthermore Midas has proven time and time again to provide and maintain employment opportunities to the patrons of Valley County. Approval of this project will continue to allow them to offer steady prominent employment to our locals. I would strongly request with the upmost respect that the commission acknowledge the many benefits from this project and approve this conditional use permit at the upcoming meeting. Again thank you for this opportunity.

Sincerely,

Josh Davis





**Valley County P&Z  
PO Box 1350  
Cascade, Idaho 83611**

July 13, 2020

**Gene Tyler  
PO Box 717 (301 Eagle Lane)  
Donnelly, ID 83615**

Subject: Approve Conditional Use Permit 20-12 for the Stibnite Gold Logistics Facility

Dear P&Z Commissioner Herrick,

I fully support the construction of the Stibnite Gold Logistics Facility outside of Cascade. The opportunity presented by the Stibnite Gold Project to this region and the state as a whole is compelling for many reasons.

I have been a longtime supporter of the Stibnite Gold Project. I know it will be good for the Idaho workforce. Midas Gold has stated strong commitment to hiring locally and using local vendors and suppliers. This will help to build our economic base in rural Idaho. The company will provide employees with training and help our state build a more skilled workforce. Midas Gold even estimates salaries will be two times higher than the local average in Valley County.

The Valley County Planning and Zoning Commission should permit the construction of the logistics facility for the Stibnite Gold Project because one of the most important functions of the facility is to bring jobs closer to our community. This warehouse, assay lab, logistics staff, and administrative department will bring in dozens of 9-to-5 jobs to our region that will provide more flexibility to the potential workforce compared to the two-week on-off positions up at Stibnite.

The logistics facility will also play a significant role in reducing traffic up to Stibnite, which will in turn promote safer roads and a smaller environmental footprint. The company will have hundreds of parking spaces at the facility with the objective of taking as many cars off the road as possible, and they will bus 90 percent of employees to the project for their shifts. To further ease additional road congestion, they will also consolidate supplies and shipments at the logistics facility warehouse, making as few trips as possible.

On the safety front, they have also outlined a number of transportation solutions based out of this facility for getting equipment and materials up to the site efficiently. Transporting goods on weekdays during business hours, using pilot vehicles to escort trucks carrying fuel and sensitive loads, and ensuring all large trucks be required to use muffled engine breaks to reduce noise are just a few of the ideas.

Midas Gold is committed to do what is right for our community, our safety and the environment. It is intertwined into almost every aspect of their proposal for this mining project. Largely because they have spent the last 10 years listening to community members like myself and considering what is in our best interest.

Considering the comments above, I ask the Commission to approve the conditional use permit for the Stibnite Gold Logistics Facility.

Respectfully,

A handwritten signature in black ink, appearing to read "Gene Tyler". The signature is written in a cursive style with a large initial "G".

Gene Tyler, Donnelly, Idaho

## Support of Midas Gold Logistics Facility

»;The Roxy Theatre <the\_roxy@citlink.net>

Mon 7/13/2020 4:39 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Herrick,

Please note that my wife and I are in support of Midas Gold and their request for a conditional use permit for their Logistics Facility. This is a needed facility and they have gone to great lengths to minimize impact. They are the model company for citizen input and reaction to the needs and wants of the community. Please pass on our support to anyone who needs to know. We want to see this permit approved.

Thank you,

Jason and Trisha Speer

July 13, 2020

Carol Hines and David Elliott  
11269 W. Blueberry Ct.  
Boise, ID 83709

Ref: Midas Gold's Request for a Conditional Use Permit

Valley County Planning and Zoning  
P.O. Box 1350  
Cascade, ID 83611

Dear Planning and Zoning Commissioners:

As property/home owners in Valley and Ada County, we are writing this letter in support of Midas Gold's request for a Conditional Use Permit (CUP) for their logistics' facility.

We believe that the location of their facility is ideal in order to minimize traffic on Warm Lake Road as their plan is to carpool a majority of their employees from the facility to the site. Throughout the scope of their project, Midas has had a concern for making the smallest footprint possible on the environment in order to carry out their project goals.

This new facility will also create non-seasonal jobs for local individuals as Midas is committed to hiring within Valley County when possible. In turn this will help to support our local economy and services.

Thank you for your consideration. It is our hope their request for a CUP will be permitted.

Sincerely,

Handwritten signatures of Carol Hines and David Elliott in black ink.

Carol Hines and David Elliott

July 10, 2020

Arnold Aviation  
P.O. Box 1094  
Cascade, ID 83611

Ref: Midas Gold's Request for a Conditional Use Permit

Valley County Planning and Zoning  
P.O. Box 1350  
Cascade, ID 83611

Dear Planning and Zoning Commissioners:

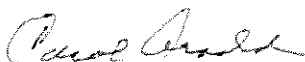
Arnold Aviation is in full support of Midas Gold's application for a Conditional Use Permit (CUP) for their facility on Warm Lake Road.

As a business owner, I am excited to see Midas Gold pursuing to locate their logistics' facility here in Cascade. Midas Gold over the past 10 years has been diligently working toward their design plan. With input with local residents, they have come up with a sound plan that will stimulate our local economy, while being environmentally conscientious. As a local business, we choose to support this project because we believe it will have a positive impact on the local economy and will support ancillary industries and local activities. Locally procuring locally the goods and services, the project would require would support business opportunities and jobs that could remain in the Valley beyond the life of the mining project. We believe that Midas Gold is dedicated to developing their capabilities (such as helping to improve basic infrastructure in areas impacted by the mine) to add value to our community and the recreational opportunities in the State.

Midas Gold has worked hard to mitigate the possible health, social, environmental, economic, and cultural impacts that might occur with their project and have been working with local communities to bring forward the best mining endeavor. They have been working with all stakeholders to implement positive societal and environmental outcomes.

Thank you for your consideration of Midas Gold's request for a CUP for their logistics facility.

Sincerely,



Carol Arnold  
Arnold Aviation

July 12, 2020

Brian Hines  
533 Cabarton Rd.  
Cascade, ID 83611

Ref: CUP for Midas Gold Logistics Facility

Valley County Planning and Zoning  
P.O. Box 1350  
Cascade, ID 83611

Dear Planning and Zoning Commissioners:

I'm writing this letter in regard to the Planning and Zoning Commission's consideration of a conditional-use permit for the Midas Gold logistics' facility. As a resident of Cascade, the location of this facility in Scott Valley makes sense to me. I am hoping you will grant the company this approval.

Midas has designed its plan for the Stibnite Gold Project with the region's best interest in mind. The company plans to use the warehouse as a collecting point to carpool nearly 90% of their employees to the site and have committed to doing it during weekday hours, which further minimizes any impact to those who live along the road to the mine site. Not only will consolidating the traffic going up to the mining site reduce traffic on the road, but limiting the traffic will also reduce greenhouse-gas emissions and road dust. This environmental consideration is in addition to the millions of dollars Midas is planning, and has already invested, in cleaning up the site. Having this logistics facility in Cascade is further evidence of their ongoing commitment to having a minimal impact on the community and environment.

This new facility will bring many full-time, well-paying jobs to Cascade. The company is clear that these jobs will first go to local individuals, which will help eliminate the strain on existing housing. These jobs will support local families, which is important especially during these unprecedented times.

I encourage your support and approval of this permit. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Hines', with a long horizontal flourish extending to the right.

Brian Hines

Valley County P&Z  
PO Box 1350  
Cascade, Idaho 83611

July 13, 2020

**Cec Tyler**  
**PO Box 717 (301 Eagle Lane)**  
**Donnelly, ID 83615**

Subject: Approve Conditional Use Permit 20-12 for the Stibnite Gold Logistics Facility

Dear P&Z Commissioner Herrick,

I fully support the construction of the Stibnite Gold Logistics Facility outside of Cascade. The Valley County Planning and Zoning Commission should permit the construction of the logistics facility for the Stibnite Gold Project as this will bring many jobs for our citizens. The warehouse, assay lab, logistics staff, and administrative department will bring in dozens of 9-to-5 jobs to our region. Later on, there will be additional jobs at Stibnite. Training will be provided and the benefit package for employees will be much higher than most jobs currently found in Valley County.

I have supported the Stibnite Gold Project since the beginning. Midas Gold has stated their intent to hire locally and to use local vendors and suppliers, when possible. We need this project to help build our economic base.

The logistics facility will have hundreds of parking spaces as 90% of Stibnite employees will be bused up and back for their two-week shift. This location will also be used to consolidate supplies and shipments, making as few trips as possible and easing road congestion. In addition, their transportation plan is to have the majority of traffic on weekdays, during business hours. This should help ease interference with our weekend tourists.

I believe that Midas Gold is committed to do what is right for our community, our safety, and the environment. They have listened and built their proposal for their mining project around the input from the local communities.

Please consider my comments above. I ask the Commission to approve the conditional use permit for the Stibnite Gold Logistics Facility.

Respectfully,



Cec Tyler, Donnelly, Idaho



## Midas Conditional Use Permit

wsully47 <wsully47@gmail.com>

Tue 7/14/2020 8:03 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Midas Gold request for a CUP should be granted. Midas has developed a plan that will provide well paying jobs in a local setting and will be environmentally sound as well.

By utilizing off hour travel and staging large or hazardous loads, safer, less congested highway conditions will be provided. The cleanup of the Stibnite area with restoration work as the project is completed is a once in a lifetime opportunity as no other organization environmental or otherwise has stepped up to take on restoration.

The planned facility will help reduce noise and light pollution near the Cascade community. The benefits of the Midas project far outweigh any the downside and will bring a much needed economic boost for Valley County. I encourage you to consider the request favorably.

Sincerely,

Willie Sullivan  
485 Yellow Pine Avenue  
Yellow Pine, ID 83677  
208-633-0773

Sent from my Verizon, Samsung Galaxy smartphone

## Valley County Planning and Zoning

As a gold miner with over 40 years' experience and having built and started nine precious metal mines I believe Midas Gold will be beneficial to Cascade and Valley County. The biggest benefit may be the high paying jobs for the young people of Valley County. At this time many of the young people leave the county after graduating from high school. Midas Gold, if they get the go-ahead to build their mine project, will be able to offer the young people of Valley County, along with the more mature residents, a wage that will make staying in the county, and living well, possible.

Midas Gold will employ a staff of highly educated people that may be able to assist the local schools. I cannot speak for Midas Gold, but other mines that I have worked at would encourage their staff to work with the local schools.

I live off of the Warm Lake Highway and do not think that the increased traffic will be a significant problem. The 30 to 40 employees that will work at the Logistics Center Monday through Friday will seem insignificant compared to the summer weekend traffic.

There will be some negative impacts to Valley County but I believe the positive impacts will far outweigh any negative impacts.

We have already seen one positive impact from Midas Gold, the installation of a fiber optics cable on the Warm Lake Highway that has increased our internet speed.

I support Midas Gold and encourage the Valley County Planning and Zoning to approve their Special Use Permit.

Bill Coughlin

Cascade, Idaho

## Midas Gold

Ron Platt <aallseed@aol.com>

Mon 7/13/2020 9:14 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I want to take the opportunity to show my support for the Midas Gold project. Building adequate infrastructure is an important part of any long range plan. The economic boost that Midas offers to Valley County would be a great asset for the long term stability of the county. The opportunity to clean up the stibnite project area after decades of the government dragging its feet would be a great example of how private enterprise and the government can work together to get a project done.

Ron Platt

*Sent from my Verizon Motorola Smartphone*

Midas Logistics facility on Warm Lake rd.

Jean Luze Revaul <jelrevaul@yahoo.com>

Fri 7/10/2020 7:49 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Cynda,

Please put me down as being in favor of this project. Midas will improve the Stibnite mine site and this facility will help them to do that. Thank you.

Jean Luze Revaul  
PO. BOX 968, Donnelly Idaho 83615

Sent from Yahoo Mail on Android

## Midas Gold

Dave Paulsen <daveanddoris74@gmail.com>

Wed 7/15/2020 4:52 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please approve their request on warm lake road.

Thank you

Dave and Doris Paulsen MCall

Sent from my iPad

## Opponents of CUP 20-12 Stibnite Gold Project Logistics Facility

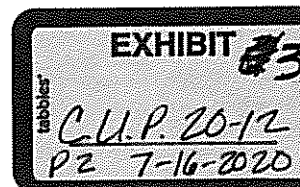
### List of similar comments:

- Will impact views and environment health of the area.
- Impacts to road.
- Will change characteristics of the area.
- Concerned with hazardous materials on site and transporting to the site.
- Application unclear on the grey water storage.
- Will hazardous materials go into the ground or grey water?
- Describe storage of hazardous materials.
- Approval would premature before the EIS is completed.
- How will ground water, surface water, wetlands and riparian areas be protected?
- Emergencies will be a burden to local EMS services.
- Will detract from the stunning beauty of the area.
- Will set a precedence for future industrial development in this area.
- A Canadian company reaping the profits of a gold mine goes against the Comp Plan.
- Comp Plan says to retain the rural/small town character.
- Impact to road after 20 years of heavy truck traffic.
- Does not address particulate emissions.
- Will adversely impact tourists at Warm Lake.
- Should delay until after final approvals of the mine...other permits should come first.
- Conflicts of interest of Governor and P&Z Commissioner.
- Cannot let irresponsible company develop Valley County in this irresponsible way.
- Need a wetland delineation.
- Conflicts with recreation traffic.
- Should look at weekend traffic.
- Should be located in town.

### Citizen:

- Kira Faller, Cascade
- Jessica Freiden, Cascade
- Edith Welty, McCall
- Thomas Welty, McCall
- Cooper Lambla, unknown
- Diana Bryant, Johnson Creek
- Michael Ervin, Cascade
- Robyn Armstrong, McCall
- Wesley Keller, McCall
- Marceen Price, Cascade
- John Robison, unknown
- Reese Hodges, Idaho Rivers United
- Susan Bechdel, McCall
- Melissa Coriell, McCall

*Joey Pietri*



## Oppose the stibnite mine logistics center

Kira Faller <kirafaller@gmail.com>

Thu 7/9/2020 10:26 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am a Cascade resident, writing for the comment period regarding the proposed building and parking areas for midas gold in warm lake road. I think such a development would negatively impact both the experience and views as well as the surrounding environmental health.

Thanks for your time,

Kira Faller

(No subject)

Jessica Freiden <jlffreiden@gmail.com>

Thu 7/9/2020 5:47 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am composing this email to show my opinion against the construction of the Stibnite Gold Logistics Facility. I frequent Warm Springs road for summer and winter recreational activities and having this natural beauty and access so close to home is one of the many reasons I love living in Cascade. Through the construction and development of this facility, the natural beauty that draws many to the Cascade area will be destroyed. I feel the development of this facility goes against the The Valley County Comprehensive Plan stating "The purpose of this plan and analysis is to guide development so as not to harm the characteristics which attracted it here in the beginning." I do not see how this facility and all that comes along with the development of the facility will not take away from the natural characteristics of the area. I hope that you consider denying the permit of this facility. Thank you for your time.

-Jessica



**RE: Valley County Conditional Use Permit 20-12 Stibnite Gold Logistics Facility.**

ediewelty@gmail.com &lt;ediewelty@gmail.com&gt;

Thu 7/9/2020 5:59 PM

To: Cynda Herrick &lt;cherrick@co.valley.id.us&gt;

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Comment on Potential Risks of Hazardous Chemicals On,  
and Transported to and From, Logistics Facility Site**

I am writing to oppose granting of the conditional use permit (CUP) for the Midas Gold Logistics Facility Site on the Warm Lake Road near Cascade. I am particularly concerned about the storage and use of hazardous materials on the site and the transportation of these materials to and from the site.

Section 2.1.6 of the CUP describes water use, ground and surface water drainage, and wetlands on the site. Surface water drains from the site toward Big Creek. It states that: "All grey water produced at the Logistics Facility will be handled through a septic and leach field system or trucked offsite to a local wastewater facility." It is unclear whether some of this grey water will be drainage from chemical use onsite. Midas needs to explain whether water contaminated with hazardous chemicals will be released into the septic & leach fields, thus risking contamination of ground and surface water.

Section 2.1.7 on Fire and Explosion states that: "Hazardous chemicals will be stored pursuant to per manufacturer recommendations and Occupational Safety and Health Administration regulations for safety and to prevent environmental releases." "The Logistics Facility may store small quantities of various chemicals and hazardous materials during construction and operation. Applicant will manage the use of chemicals and hazardous materials to prevent spills, fires, or explosions to protect worker health and safety and the surrounding natural resources by taking the following actions: ...." Hazmats will be transported by "certified containers and by USDOT-registered transporters, who will comply with applicable USDOT, Occupational Safety and Health Act, and Mine Safety and Health Administration regulations."

- "Personnel transporting, handling, or using any hazardous chemicals will be trained to ensure the safe use of such materials.
- Hazardous chemicals will be stored pursuant to per manufacturer recommendations and Occupational Safety and Health Administration regulations for safety and to prevent environmental releases.
- Fuel and other petroleum products at the site will be stored in aboveground containment structures with appropriate secondary containment measures.

As a physician with some background in public health, I am concerned that storing hazardous chemicals on a rural site with wetlands and with potential for surface and groundwater contamination via wetlands and leach fields into nearby creeks and Horsethief Reservoir poses a significant public health and environmental hazard. The application fails to describe these hazardous chemicals in sufficient detail. Midas plans to truck in loads of cyanide bricks to leach gold from ore at Stibnite. Cyanide is water-soluble. Will cyanide be stored at the Logistics Facility? Will they use it to leach gold from assay samples on this site? In addition, transporting cyanide and other hazardous chemicals poses a danger to the towns of Cascade and McCall, as well as to rural homes along the route. What measures will Midas take to clean up cyanide or other chemicals if there is an accident that results in a spill? Will training the drivers in OSHA and USDOT standards be adequate, especially if the spills occur in winter, when the road is snow covered or slippery?

It would be unwise to rush through this CUP before the EIS is out and before Midas can produce a thorough, clear plan for how to manage hazmats and prevent water contamination.

Thank you,

Edith R. Welty, MD  
939 Flynn Lane  
McCall, ID 83638

**RE: Valley County Conditional Use Permit 20-12 Stibnite Gold Logistics Facility.**

Thomas Welty &lt;thomaswelty@gmail.com&gt;

Thu 7/9/2020 5:05 PM

To: Cynda Herrick &lt;cherrick@co.valley.id.us&gt;

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning and Zoning Commissioners,

I am writing to oppose the approval of the Conditional Use Permit 20-12 for the proposed Stibnite Gold Logistics Facility. I am a retired family physician and have lived in McCall since 2007. Since then I have treasured the beauty of the Central Mountains of Idaho and am committed to preserving that beauty for future generations.

It is premature to approve a facility in which there has not been a release of the draft environmental impact statement for the proposed Midas Gold Project, yet. This facility will be an integral part of the overall project and for that reason, should not be approved until deficiencies are addressed and corrected and then reviewed in conjunction with review of the EIS.

Specifically, the proposal does not specify how the facility will protect water quality, surface water, wetlands and riparian areas that will potentially be adversely impacted by this large facility. Since this facility has a hazardous materials area, this is especially important.

I am concerned about the impact that this facility will have on access to areas and activities on the east side of Valley County: Frank Church Wilderness, Yellow Pine, South Fork of the Salmon River watershed. The heavy truck traffic on the Warm Lake Road will detract from stunning beauty of this area and increase the risk of serious traffic accidents involving large trucks and vehicles of people who come to enjoy this beauty. When such accidents occur, will this facility be able to provide emergency medical services, or will they be provided by Cascade/Valley County EMS. If the latter, it will be a burden on local resources.

If approved, this facility would set a precedent for future industrial development along the Warm Lake road, which may include heavy truck traffic which will further detract from the beauty of this pristine area.

The Valley County Comprehensive Plan includes a goal to maintain the "rural/small town character enjoyed by residents and visitors," but having a Canadian company reap the profits of a gold mine and establish a large Logistics Facility is inconsistent with Valley County's vision as stated in the Comprehensive Plan.

For these reasons, I strongly recommend that you disapprove of this Conditional Use Permit. Thank you.



Thomas K. Welty, MD

7/13/2020

Mail - Cynda Herrick - Outlook

939 Flynn Lane  
McCall, ID 83638  
E-mail [thomaswelty@gmail.com](mailto:thomaswelty@gmail.com)

**Comments RE: Valley Co. Conditional Use Permit 20-12 - Stibnite Gold Logistics Facility.**

Cooper Lambla &lt;coop.lambla@gmail.com&gt;

Wed 7/15/2020 8:23 AM

To: Cynda Herrick &lt;cherrick@co.valley.id.us&gt;

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Hello,

I'm writing to express my grave concern in regards to the Valley County Conditional Use Permit 20-12 Sibnite Gold Logistics Facility. The application is vague, incomplete, and misleading. **Conditional Use Permit 20-12 should be denied.** A few key issues include:

- The Valley County Comprehensive Plan stated goal is to retain the rural/small town character enjoyed by residents and visitors. The proposed use on and along the Warm Lake road directly conflicts with this goal.
- The applicant does not discuss what it will do to mitigate impacts on services, infrastructure, and the health and safety of residents and visitors of Valley County.
- Midas Gold bears the burden of proving that their activities will not conflict with the objective - Chapter 3, Goal I, Objective 3.
- Planning and Zoning and the County Commission bear the burden of ensuring appropriate mitigation measures are in place to protect residents and visitors from the impacts of Midas Gold's activities.
- The application fails to address the applicant's responsibilities for generating, storing, and disposing of hazardous wastes produced at the SGLF. Hazardous materials include sodium cyanide, potassium amyl xanthate, ammonia nitrate, and pentaerythritol tetranitrate. Under the Emergency Planning and Community Right-to-Know Act (EPCRA) enacted by Congress in 1986 the general public has a right to know about chemical hazards within their community.
- The application omits the impacts of 20+ years of heavy truck traffic, to and from the SGLF and the mine site.
- The application contradicts itself. First it states that there will be no impacts from heat and glare, then it states that there will be impacts from heat and glare. Changing 16-acres of forest and wetland into a parking lot, most of which will be paved, will alter the surrounding environment including stormwater runoff, ambient air temperature, and aquatic and terrestrial species.
- The application does not address the potential for particulate emission (including smoke, dust, chemicals, gases or fumes) "that may be added by the proposed uses" and how those emissions will be minimized.
- The application states that "all grey water produced at the Logistics Facility will be . . . trucked offsite to a local wastewater facility." Impact Report at 2-4. It is not disclosed, however, whether the "local" facility--presumably Cascade--will have the capacity to accept this waste. The Impact Report needs to provide more information to let the public know whether the disposal plans are viable.
- The application states, without support, that there will be no impacts to wetlands.
- There is nothing in the Impact Report that "[i]denif[ies] existing groundwater and surface water quality and potential changes due to this proposal." Valley County Code 9-5-3(D)(2)(f).

7/15/2020

Mail - Cynda Herrick - Outlook

- The application fails to disclose and describe hazards that will exist as a result of activities associated with the SGLF.
- Warm Lake is a designated tourist hub by the Comprehensive Plan. The proposal in this application will have a detrimental effect on Warm Lake's ability to attract tourism.

Once again, please **deny Conditional Use Permit 20-12.**

Thank you,

Cooper Lambla

--



[cooperlambla.com](http://cooperlambla.com)

[coop.lambla@gmail.com](mailto:coop.lambla@gmail.com)

704.759.4535

## CUP 20-12 Stibnite Gold heavy commercial development along Warm Lake Road

Diana Bryant <wapitimr@Aol.com>

Wed 7/15/2020 8:15 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing in opposition to the granting of CUP 20-12 to Stibnite (Midas) Gold for the development of their heavy commercial staging facility along the Warm Lake Road corridor. Briefly, disruption/dangerous conditions would be introduced into the primary access to the rural/backcountry of Eastern Valley County affecting property owners, businesses (recreational/vacation destinations), tourism, and the tranquility for backcountry travelers to Stanley, Yellow Pine and the South Fork Salmon and Johnson Creek corridors. This plan would be appropriate only along the Route 55 commercial corridor. To place it in a rural, non-commercial location valued for its natural beauty and tranquility leading to the most treasured asset in Valley County, the backcountry and Wilderness, is to destroy the established County Planning standards and threaten the values held by County residents, recreational visitors, and businesses offering safe access to the public, a substantial part of the Valley County economy historically. The

Use of the Warm Lake Road for ingress/egress to the backcountry and for the heavy commercial use of its roadway will dramatically affect the condition of that roadway, at considerable expense to the taxpayers of the County and burden on its already beleaguered roads department.

The turning of the Warm Lake Road into a heavy commercial corridor would dramatically affect my vacation rental business and private life since this is the safest and only year-round access to my property and livelihood.

Respectfully submitted, Diana Bryant, Owner, Wapiti Meadow Ranch, Johnson Creek, Valley County, Idaho

Sent from my iPad

7/13/2020

Mail - Cynda Herrick - Outlook

## Writing in opposition to the Midas Gold's proposed facility on Warm Lake Road

Michael Ervin <michael\_ervin1@yahoo.com>

Thu 7/9/2020 10:16 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

As a resident of Cascade, I join so many others in speaking out against Midas' proposed expansion into Warm Lake Road. A facility of that size would come with considerable negative environmental ramifications, would discourage tourism, and would disrupt the viewscape. We cannot allow an irresponsible corporation to develop Valley County in such an irresponsible way.

Best regards,

Robyn Armstrong  
McCall, Idaho 83638  
208-634-4180  
gypsyrobyn@gmail.com

July 6, 2020

Cynda Herrick, AICP, CFM  
Planning & Zoning Administrator  
PO Box 1350  
Cascade, ID 83611

Re: C.U.P. 20-12 Stibnite Gold Project Logistic Facility

Dear Valley County Planning and Zoning Commission,

I am writing in opposition to the conditional use permit (C.U.P.) that Idaho Gold Resources Company, LLC and/or Midas Gold Idaho INC is requesting for a facility to support mining operations. I am in favor of reducing traffic to the proposed traffic site, but not in favor of hazardous material storage. My biggest concern is that this proposal is not a definite, bona fide project yet, as there are more approvals and permits outstanding as well as potential lawsuits and future objections. The approval of this C.U.P. should be delayed until the final approval of the mine is ensured.

The company requesting this permit is in financial straits and conflicts of interest abound. Not only did the governor of Idaho, Brad Little, sell this land to the mining company in 2017, but the company's employee is the chairman of the Valley County Planning and Zoning Commission. Johnna Defoort must reclude herself from any decision making and of influencing others on the commission position.

The traffic studies attached to the C.U.P. application highlight the concerns with increased traffic in Valley county on highway 55, the Warm Lake Road, Johnson Creek and possibly the new proposed Burntlog route. A browse through past Valley county accident logs shows the high possibility of an accident and/or hazardous waste spill along these remote, gravel roads that the logistic facility would facilitate. One traffic death is too much for this county.

Has a certified wetlands delineation report been completed, reviewed and understood by the Planning and Zoning Commission?



The 2010 Valley County Planning Commission adopted a resolution that the scenic atmosphere of Valley County is one of the most important characteristics and presenting its historical resources and scenic resources in this C.U.P. address application support the goal.

Warm Lake road get's a lot of recreation and tourist traffic and a 25 acre industrial facility would mar the visual and scenic quality of this rural, pastoral area. A 100 car parking lot would not only be unsightly, but would affect natural drainage in this area.

Hazardous material will be transported to and from this proposed facility on valley county roads and stored here. Please request a detailed list of these materials, the storage capabilities being planned, a spill response plan for Valley county and current training by county personnel who would be responding to any accidents.

The traffic study attached to the C.U.P. (Table 25) states many intersection operations on and near highway 55 are projected to fail by 2022. How will this facility help the existing problems and not hurt the existing traffic problems that exist? Will Midas Gold be paying for the transportation solutions? The Commission needs to study the implications of this ingress and egress issue with respect to normal weekend congestion on the main road through the county.

Please slow this C.U.P. application process in order to study the effects further when the larger mine project it will support is approved. Thank you for the opportunity to provide these issues for the Commissioners to consider. I appreciate the time and effort involved in evaluating these complex proposals.

Sincerely,

*/Robyn Armstrong/*

July 15<sup>th</sup>, 2020

RE: Valley County Conditional Use Permit 20-12 Stibnite Gold Logistics Facility

Valley County Planning and Zoning,

Thank you for the opportunity to comment on C.U.P 20-12. I am opposed to this CUP for the following reasons:

- This CUP is pre-decisional, this project is still in the planning stage and has numerous permits, Forest Service approvals and lawsuits pending. This project is still taking shape and a long way from being final. When the Forest Service has a Record of Decision (ROD) regarding this project then this CUP should be brought forward for review.
- Conflicts of interests- Valley County made the right decision when they opted out of signing Midas's Gold Community agreement. I am sure it was at the bequest of your office of legal counsel that a permitting agency should not be advocating for an outcome for a permittee. Johnna Defoort who is an employee for Midas Gold and is also on the Planning and Zoning board should reclude herself from decisions regarding this project for the same reason. While not illegal, the governor of Idaho selling the property being evaluated under this CUP to Midas Gold does not pass smell test.
- Hazardous Material Storage: Mines use huge amounts of hazardous materials for mine operations. Because this site will be a storage site for chemicals being transported to the actual mine, a list of chemicals and amounts of hazardous materials being proposed for storage should be included in the CUP. The chemicals have the potential to be released into the environment (spill, wildfire, explosion) and the public has a right to know the risks associated with storing materials at this location.
- Waste Water- With hundreds of Midas Gold employees using this staging site during transport to the mine more details should be provided regarding how wastewater will be trucked to an offsite wastewater facility.
- Impacts to wetlands: The large parking lot proposed for 300 vehicles has the potential to impact surrounding wetlands and surface water. During spring melt and rain events the impervious parking lot has the potential to concentrate chemicals and oil. More information is needed to evaluate how this CUP will impact surface water and wetland resources.

This CUP in its current form should be rejected until the Forest Service ROD is out. The ROD decision will shape many aspects of the logistic facility.

Sincerely,

**Wesley Keller**

Digitally signed by Wesley Keller  
DN: cn=Wesley Keller, o, ou,  
email=wesleyk@nezperce.org, c=US  
Date: 2020.07.15 10:33:28 -07'00'

## Letter of Opposition to CUP 20-12 Stibnite Gold Project Logistics Facility

Marceen Price <marcpric@cmchd.org>

Wed 7/15/2020 12:12 PM

To: Lori Hunter <lhunter@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning and Zoning,

While I am a proponent of the Midas Gold project, I am *opposed* to the chosen location of the Stibnite Gold Logistics Facility on Warm Lake RD.

Business and/or industrial development in this area is not appropriate, as outlined in the *Valley County Comprehensive Plan*. Encouraging this development within an incorporated area, or an industrial area, is simply the right thing to do. The proposed site is scarcely populated – an area surrounded by forests and a few rural fields. Permanent business structures should not be allowed in this area. This development does not “commensurate with the physical characteristics of the land”, as stated as one of the Purposes in the *Local Land Use Planning Act*.

All of the communities on Warm Lake RD would be affected -- not only by the increased traffic, but of the loss of the “culture of the area” they chose to call home.

Surely there are better suited areas for the development of a Logistics Facility. PLEASE accommodate development while protecting our quality of life.

Regards,

Marceen Price  
8 Samantha RD  
Cascade, ID 83611  
[marceenprice@gmail.com](mailto:marceenprice@gmail.com)  
(208) 315-3022

## Idaho Conservation League comments on Conditional Use Permit 20-12 (Stibnite Gold Logistics Facility)

John Robison <jrobison@idahoconservation.org>

Wed 7/15/2020 3:37 PM

To:

- Cynda Herrick;
- Lori Hunter

Dear Planning and Zoning Commissioners,

The Idaho Conservation League represents members in Valley County who are concerned about Conditional Use Permit 20-12 for the Stibnite Gold Logistics Facility. We recommend that you deny the application as submitted due to incomplete information from the applicant. We are particularly concerned about potential inconsistencies with Valley County's Conditional Use Plan. In considering this decision, the commissioners must also be aware of the requirement to avoid conflicts of interest.

We have reviewed the proposal and believe that this scale of industrial development is incompatible with maintaining open space and the rural and pastoral qualities of that area. Furthermore, this permitting will likely lead to additional development along this corridor. The application fails to discuss or disclose the impacts of mine-related traffic (light vehicle, trucks, buses, etc.) on current transportation plans. We note that this facility will also likely have increased noise and light dramatically out of character from the surrounding area. The large amount of impermeable surface and concentrations of oils and other materials from vehicles, as well as hazardous chemicals such as sodium cyanide, ammonium nitrate, diesel fuel, and dust from mining activities, could lead to high levels of mobilized contaminants on these surfaces following rainfall and snowmelt. We are particularly concerned about managing contaminated stormwater during rain on snow events. Stormwater may also need to be treated as hazardous waste and may not be suitable for disposal in adjacent wetlands. We note that snow removal from this facility will also likely need to treat the snow itself as hazardous material and not sidecast it in an unmanaged area. While the applicant states they will truck grey water produced to an off-site facility, additional information is needed about where and how this hazardous material will be disposed of because transportation of this material may also pose safety and environmental risks.

We also note that mining-related facilities for even fully permitted projects have ended up not being utilized and in need of interim stabilization or even reclamation due to delays in mine financing. For example, the Idaho Cobalt Project on the Salmon-Challis National Forest was a fully permitted project but delays in financing resulted in on and off-site infrastructure (pond liners, buildings, office spaces) not being utilized as intended and not being utilized or needing reclamation. We recommend that the county require a more comprehensive bonding and contingency plan in the event that this space is not utilized as intended.

John Robison

He/Him/His (what's [this?](#))

Public Lands Director

Idaho Conservation League

---

PO Box 844, Boise, ID 83701  
mobile 208.559.0283 • fax 208.344.0344  
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**I may send e-mails over weekends and at odd hours. I do not expect you to do the same.**



3380 W American Terrace Ste 140, Boise, ID 83702 | [idahorivers.org](http://idahorivers.org)

July 15<sup>th</sup>, 2020

Re: Comments on CUP 20-12 (Stibnite Gold Logistics Facility)

Dear Planning and Zoning Commissioners:

Idaho Rivers United (IRU) is a 501(c)3 nonprofit environmental advocacy organization that is dedicated to protecting Idaho rivers and restoring our native fish populations. IRU represents 3,500 river-loving members, and members in Valley County are concerned about the Conditional Use Permit 20-12 for the Stibnite Gold Logistics Facility (SGLF).

As IRU's members of Valley County and beyond frequently travel Warm Lake Road to access Idaho's backcountry streams (including the South Fork of the Salmon River), we are concerned about both the significant impact to the rural character of this area of Valley County, and the increase in traffic on Highway 55 and Warm Lake Road. Recreation and tourism are vital components of the Valley County economy, and the threat of increased congestion from the SGLF on Highway 55 and Warm Lake Road need thoughtful consideration. The permit application in question does not provide adequate analysis of traffic impacts, and seems to disregard the impact of both light and heavy vehicle trips to the SGLF.

Our members also frequently recreate on the North Fork of the Payette and main Payette, downstream of the proposed SGLF. IRU is concerned about the potential impacts to the water quality of adjacent wetlands and Big Creek, a notable tributary of the North Fork of Payette, an eligible Wild and Scenic River. The large amount of impermeable surface in the project design will undoubtedly impact surface water runoff and infiltration into soils. It is noted in the proposal that gradient slopes from West to East toward Big Creek, and any contaminated surface water runoff into Big Creek is unacceptable. Potential contaminants include vehicle oil and fuel, and mining activity related hazardous substances such as sodium cyanide, diesel fuel, and heavy metal dust.

We ask the Commission to carefully consider the potential impacts of the SGLF proposal upon this beloved travel corridor, and the tributary streams that feed the incredible recreational assets downstream.

Reese Hodges

Conservation Associate

Idaho Rivers United (208) 343-7481 [reese@idahorivers.org](mailto:reese@idahorivers.org)

## Opposition to CUP 20-12

Susan Bechdel <bechdelsusan@gmail.com>

Wed 7/15/2020 4:59 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Valley County Planning and Zoning Commissioners,

I am writing in opposition to the Conditional Use Permit 20-12. Having read the staff report, I see many unanswered questions as well as contradictions in the proposal. I urge you to resolve each of those issues. Additionally, having used the Warm Lake Road myself for biking and access to the Frank Church, I will share reasons for my personal opposition.

I applaud your Comprehensive Plan and in that document you vow to "protect fish, wildlife and recreation resources". Warm Lake corridor provides vital access to fishing, hiking, hunting, bicycling, boating - all activities important to both residents and visitors. Turning the corridor into a heavy industrial zone is not compatible with your goal of protecting these recreational resources.

Idaho's outdoor recreation economy generates \$7.8 billion in consumer spending and supports 78,000 jobs. 79% of Idaho's residents participate in outdoor recreation.

Approving this storage facility might help Midas and indirectly put some short-term money into Valley County, but it would essentially destroy the intrinsic value of the Warm Lake corridor.

You got it right in your Comp Plan when you state one purpose is to "ensure that the economy of the state and localities is protected". Maintaining the integrity of the Warm Lake corridor protects that sustainable economic value as well as the recreational values we as Idahoans hold dear.

Thank you,

Susan Bechdel  
1401 Highway 55  
McCall, Valley County

**C.U.P 20-12****Melissa Newell <meli.newell@gmail.com>**

Thu 7/16/2020 9:25 AM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning & Zoning Commission:

Thank you for the opportunity to comment on Midas Gold's proposed Stibnite Logistics Facility. In last week's edition of the Star News, Midas Gold officials were quoted, saying that Midas Gold's Stibnite Logistics Facility "would only be built if the mine is granted approval from local, state and federal regulatory agencies." This makes me wonder why the Planning and Zoning Commission would even consider this application so early in the process.

I am deeply concerned that approval of the application for the logistics facility will prejudice ongoing and future decisions along the way and interfere with the NEPA process for Midas Gold's proposed Gold Mine. This proposal should not be brought forward until the Forest Service has issued a Record of Decision for the Gold Mine.

Finally, I have a question. Will Johanna Defoort, an employee of Midas Gold, recuse herself from this decision regarding the SGLF? I hope so because there is a clear conflict of interest in her role on the Planning and Zoning Commission and her employment with Midas Gold.

Please email me back letting me know that my comments have been received and included in the public record. Thank you so much.

Sincerely,

Melissa Coriell  
McCall



## Midas project

Joey Pietri <joey@legendcrossfit.com>

Thu 7/16/2020 3:40 PM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Herrick ,

I am very much opposed to to moving forward on any Midas Project .

Travel is always risky on even the best backcountry roads , also considering the materials proposed to be hauled .

That , is of certain scrutiny .

I at times have performed work in the Yellow Pine area and use both the South Fork and Johnson Creek Roads .

Family trips to the South Forks' many campgrounds have been enjoyed for years and now we are facing Increased environmental and travel risks for a gold mine that will not serve much benefit at all to the majority of people living and recreating in Valley County !

I'd ask the county representation to advise Midas , to shift their interests back to Canada and Leave the USA.

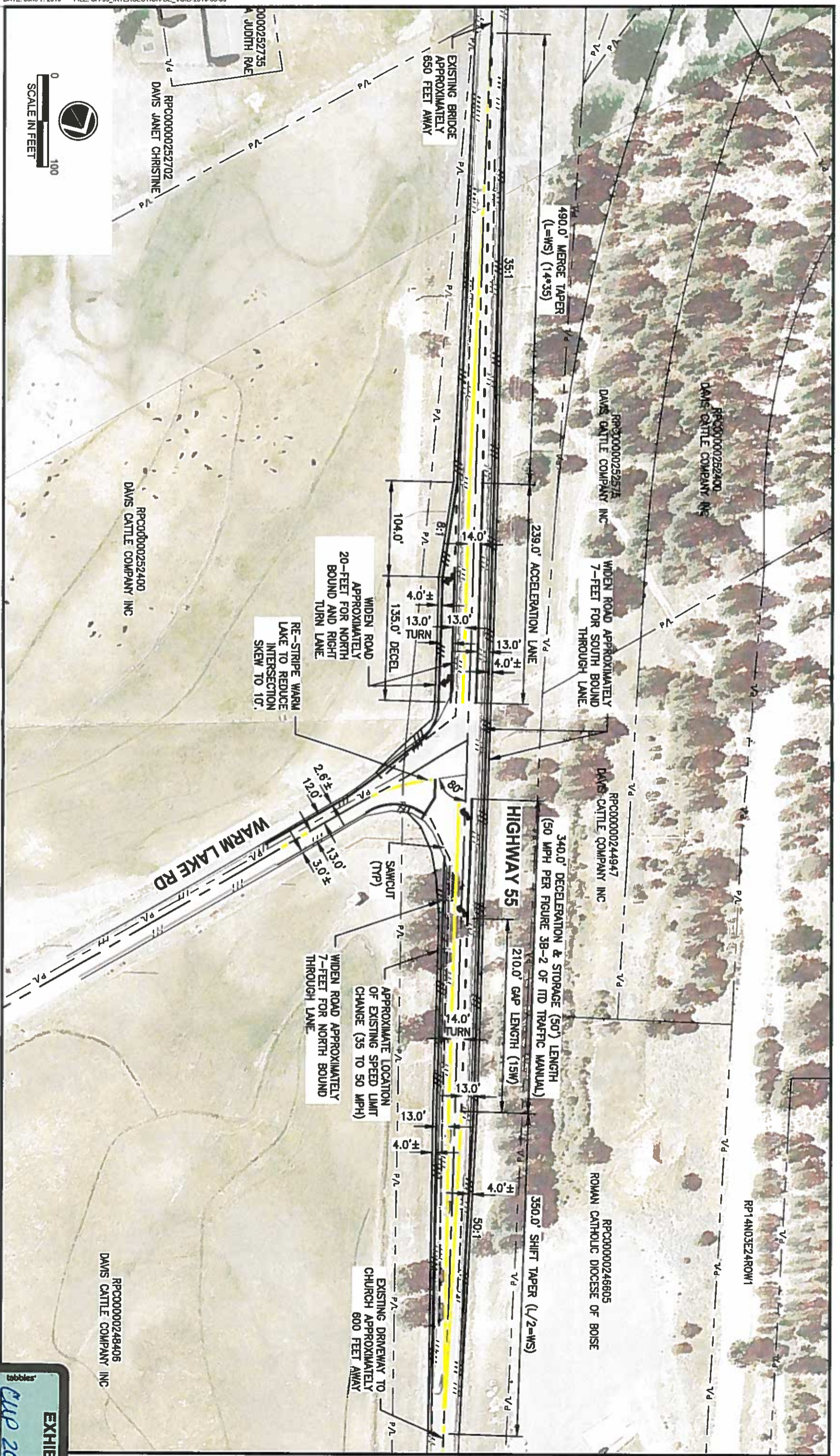
The citizens of Valley County for the most part are quite content to not have Midas here at all. Significantly, with the threat of environmental and bodily safety in the balance that Midas is willing to impose .

Thank you and please consider , once you allow , there is no eraser . Risks are too great !

Respectfully,

Joey Pietri  
225 Valley Springs Rd.  
McCall





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**TURNING LANE IMPROVEMENTS**

**FIGURE 3C**  
**WARM LAKE RD/SH-55**  
**MIDAS GOLD**



EXHIBIT  
CUP 20-1  
PZ 7-16



**FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE  
THE VALLEY COUNTY BOARD OF COUNTY COMMISSIONERS**

**SUBJECT: Conditional Use Permit No. 20-12  
Stibnite Gold Project – Logistics Facility**

**INTRODUCTION**

This matter came before the Valley County Planning and Zoning Commission on July 16, 2020. The Commission reached a quorum. Commission members in attendance were Ed Allen, Brian Benton, Ray Cooper, and Vice-Chairman Scott Freeman. Chairman Johanna Defoort recused herself and left the facility.

The applicant's agents, Kyle Fend (Field Operations Manager), Jordan Nielson (Senior Hydrogeologist), and John Meyer (Vice President of Development – telephonically) were present and requesting approval to establish a logistics facility on a 25 acre site identified as Parcel RP14N05E074475 located in the W ½ Sec 7, T.14N, R.5E, Boise Meridian, Valley County, Idaho.

**FINDINGS OF FACT**

Having given due consideration to the application and evidence presented at the Public Hearings, which are summarized in the Minutes of the Valley County Planning and Zoning Commission's meeting dated July 16, 2020, the Valley County Board of Commissioners hereby made the following findings of fact:

1. That the existing use of the property described in the Petition is bare grass land with timber in a multiple use zone and will now be categorized under 6. Industrial Uses (a) Light Industry in the Valley County Code (Title 9) in Table 9-3-1.
2. That the surrounding land uses are agricultural uses and timber.
3. That the proper legal requirements for advertisement of the hearings have been fulfilled as required by the Valley County Land Use and Development Ordinance and by the Laws of the State of Idaho.

Legal notice was posted in the *Star News* on June 18, and 25, 2020. Potentially affected agencies were notified on June 9, 2020. Neighbors within 300 feet of the property line were notified by fact sheet sent June 9, 2020. The site was posted on June 25, 2020. The application was posted on the Valley County Public Hearing website.

4. Other persons in attendance expressed approval of the proposed application. Persons who testified telephonically expressed both approval and disapproval of the proposed application.

5. Due to Covid-19, the public hearing was held in accordance with Governor Little's Proclamation concerning Open Meeting Laws. The intent of the proclamation was that governing bodies can hold public meetings using technological means as opposed to being only at a specific physical location. "The meeting must be conducted using technology that allows all—the governing board and the public—to hear and be heard as procedures allow. When public hearings are required (e.g., planning and zoning, budget amendments, vacation of platted rights of way, etc.) opportunities for public participation must be accorded as required by law – just not necessarily at a definite physical location." With this in mind the meeting was conducted as follows:

- Broadcast the Public Hearing Live on YouTube.
- Allowed for listening and testifying telephonically.
- Provided directions on the website on how to participate (attached).
- Called members of the public who had provided their numbers.
- Allowed for in-person testimony while requiring social distancing. Only the applicant was allowed to stay in the room through the entire hearing.
- Sheriff Deputy handed out paper with the link to the Live Stream on YouTube.
- Neighbor notice were mailed on June 9, 2020, much earlier than required.
- The site was posted 21 days in advance; only 7 days is required.

## **CONCLUSIONS**

Based on the foregoing findings, the Valley County Planning and Zoning Commissioners conclude as follows:

1. The proposed use is in harmony with the general purpose of Valley County ordinances and policies and will not be otherwise detrimental to the public health, safety and welfare.
2. That the proposed use is consistent with the Valley County Comprehensive Plan.
3. Valley County is one Mixed Use Zone - Performance Based Planning which allows different uses adjacent to each other.
4. There will be little visual impact and lighting will be dark sky compliant.
5. The Commission determined the application is complete and engineering compliance is typically required after initial approval as a condition of approval.
6. There is little concern of chemical spills at this site since most chemicals will go directly to the site. Cyanide briquettes only leave the trucks at the mine site. There is a chain of custody handling for hazardous materials.

7. Wetlands have delineated and will be protected using adequate BMPs/storm water management practices.
8. This use should not go into a city or urban area; it would negatively impact circulation in a city.
9. This use should not go on the Payette River National Scenic Byway.
10. This use will be an improvement to the corridor management plan of Idaho Power by relocating the substation to this site.
11. This application is for this specific use, not the entire mining operation.
12. The application is timely; Idaho Statute allows parallel applications.
13. There have been other conditional use permits issued for this mining endeavor.
14. The Commission completed the Compatibility Rating and determined it was a +17.
15. Locating the logistics facility at this site will help mitigate impacts of traffic to the overall traffic corridor.
16. Jobs will be good jobs so that Valley County does not have to rely solely on service jobs.
17. The economic impact would be tremendous.
18. The Valley County Comprehensive Plan addresses mining and a diversified economy. It states we should, "Maintain the important role of ...mining...in the local economy."
19. There were a number of ways for the public to participate in the meeting including written testimony, telephonic testimony, and testimony in-person. The meeting was broadcast live. Open meeting laws were not violated.

## **ORDER**

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, orders that the application of Midas Gold Idaho INC, for Conditional Use Permit No. 20-12 Stibnite Gold Project – Logistics Facility, as described in the application, staff report, and minutes of the meeting be approved with the following conditions of approval:

**Conditions of Approval:**

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit
3. The use shall be established according to the phasing plan or this permit shall be null and void. The use shall not be started until approval of mining activities is approved.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
5. All lights shall be fully shielded so that there is no upward or horizontal projection of lights. The lights can only be a maximum of 20' in height and 3000° Kelvin.
6. The applicant shall provide and maintain orderly and proper disposal of waste including by-products of the operation, other solid waste, hazardous waste, and sanitary waste.
7. Must comply with Central District Health requirements.
8. The minimum building setbacks for light industrial uses shall be fifty feet (50') from front, rear, and side street property lines and thirty feet (30') from side property lines.
9. Parking lots must comply with setback standards.
10. New structures, including fencing greater than 6-feet tall, must have building permits and be approved as part of a conditional use permit.
11. The site must be kept neat and orderly.
12. Shall obtain a sign permit prior to installation of a sign.
13. Perimeter landscaping shall be installed prior to July 1, 2021. If landscaping dies, it must be replaced. Landscaping must be irrigated and maintained.
14. Hours of operation are limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday.
15. A stormwater management plan shall be approved by the Valley County Engineer prior to excavation.

16. Will need an approach permit from the Valley County Road Department.
17. Shall enter into an agreement with the Board of County Commissioners to mitigate impacts to the road system and Idaho Transportation Department.
18. After reclamation and the facility is no longer needed, a new conditional use permit will be required prior to use. If there is no further use of the site, the structures will be removed and the site reclaimed.


**NOTICE OF FINAL ACTION AND  
RIGHT TO REGULATORY TAKING ANALYSIS**

The Applicant is hereby notified that pursuant to Idaho Code §67-8003, an owner of real property that is the subject of an administrative or regulatory action may request a regulatory taking analysis. Such request must be in writing, and must be filed with the Valley County Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

**Please take notice** that if this is a decision of the Planning and Zoning Commission it can be appealed to the Valley County Board of Commissioners in accordance with Valley County Code 9-5H-12. The appeal should be filed with the Valley County Planning and Zoning Administrator within ten days of the decision.

**Please take notice** that if this is a decision of the Board of County Commissioners it is a final action of the governing body of Valley County, Idaho. Pursuant to Idaho Code §67-6521, an affected person i.e., a person who has an interest in real property which may be adversely affected by the issuance or denial of the application to which this decision is made, may within twenty-eight (28) days after the date of this Decision and Order, seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

**END FACTS AND CONCLUSIONS**

  
\_\_\_\_\_  
Valley County Planning and Zoning Commission  
Chairman

Date: 8-13-2020

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW**

**Stibnite Gold Logistics Facility – CUP 20-12**

1. The proposed use, as conditioned, is in harmony with the general purpose of the Valley County ordinances and policies in accordance with Title 9 Chapter 5 of the Valley County Code.
2. The proposed use, as conditioned, will not be detrimental to the public health, safety and welfare.
3. The application is complete and includes an impact report that addresses relevant factors in VCC § 9-5-3.D.2.
4. Evidence in the record shows that non-compatible aspects of the project can be satisfactorily mitigated:
  - a. Consistent with the Traffic Impact Study, Applicant will mitigate impacts to traffic by constructing improvements at the Warm Lake/SH55 intersection and by contributing to improvements at the Deinhard/SH55 and Boydston/SH55 intersections.
  - b. Applicant will mitigate impacts to housing affordability by providing higher wage jobs and by constructing improvements to area power infrastructure that help reduce the cost of power infrastructure for residential development.
  - c. Applicant will mitigate impacts from hazardous materials by transporting materials in USDOT-certified containers by USDOT-trained transporters; by storing fuel in above-ground storage containers with secondary containment; by maintaining a Spill Prevention, Control, and Countermeasures Plan; by complying with County and State fire and building code; and by complying with Federal and State laws regarding hazardous materials.
  - d. Applicant will mitigate visual impacts with building setbacks and landscape screening from Warm Lake Road, dark sky lighting with light sensors, and building materials and colors that blend with natural surroundings.
5. The proposed use meets the general dimensional standards and site improvements set forth in Title 9, Chapter 5 of the Code including but not limited to lot area, setbacks, landscaping, fencing and utilities.
6. The proposed use meets the specific standards for Light Industrial uses under VCC 9-5F-2 including minimum lot area, frontage, minimum setbacks, building height, floor area, building lot coverage, and parking.
7. The proposed use is consistent with the Valley County Comprehensive Plan; specifically:
  - a. **Goal 4.V** - Ensure mining remains a viable element in Valley County's economy.
  - b. **Objective 4.V.1** - Encourage mining if it meets environmental standards and complies with water quality goals.
  - c. **Goal 7.I** – Improve county wide transportation.
  - d. **Goal 9.I** – Promote and encourage activities that will maintain a strong, diversified economy.



- e. **Objective 9.I.3** – Maintain the important role of the timber industry, tourism, outdoor recreation, mining and agriculture in the local economy.
- f. **Goal 11.II** – Ensure that new development pays for its own impacts on facilities, utilities, and services.
- g. **Objective 11.II.1** – Ensure that necessary infrastructure improvements for new development shall be provided for prior to need. Coordination of utilities and services with land use plans will maximize efficiency and minimize costs.
- h. **Objective 11.II.2** – New development shall not be allowed to overload existing services.
- i. **Plan at p. 71** - Commercial and industrial uses are allowed in rural areas.

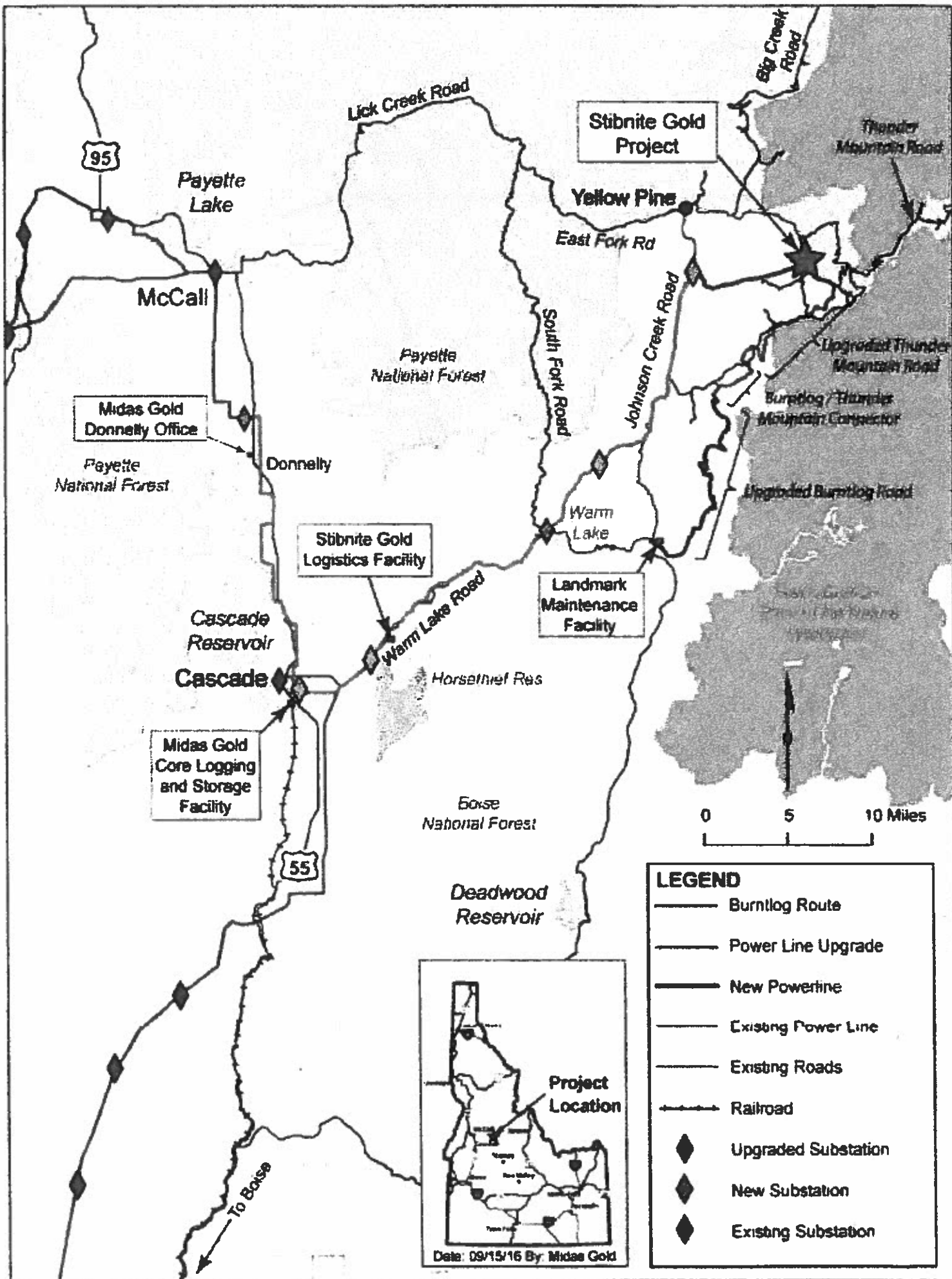
8. Valley County is one Mixed Use Zone – Performance Based Planning, which allows different uses adjacent to each other.

9. The proposed use will not adversely affect adjacent land uses. The land use adjacent to the project site is seasonal livestock grazing, which will be able to continue as it did before the Logistics Facility was constructed.

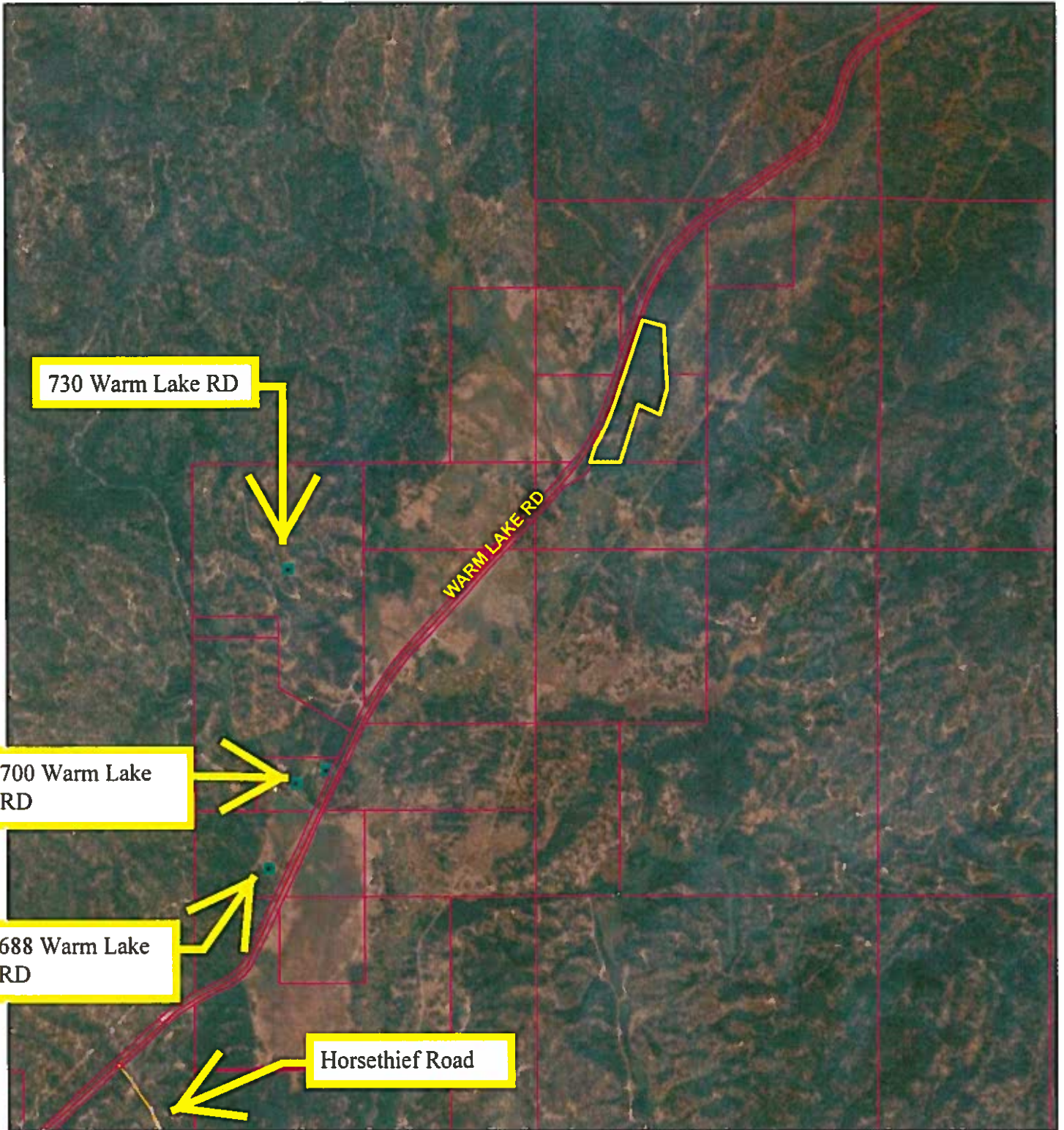
10. Appellant failed to meet its burden to clearly state how the decision of the commission was not consistent with the preponderance of the evidence presented in accordance with VCC § 9-5H-8C.

11. The Board is the final decision maker on a conditional use permit that is appealed. Valley County Code 9-5H-12.B.7 allows the Board to obtain additional information from the administrator or staff, the applicant, the appellant, or the public.

12. All relevant procedures were properly followed in accordance with Title 9, Chapter 5, Article H. There were a number of ways for the public to participate in the public hearing including written testimony, telephonic testimony, and testimony in person. The public hearing was broadcast live. Open meeting laws were followed.

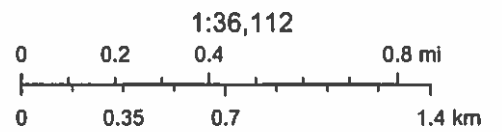


# C.U.P. 20-12 vicinity



6/3/2020, 9:20:22 AM

- Parcel Boundaries
- Addresses
- All Road Labels
- Roads
  - MINOR COLLECTOR
  - URBAN/RURAL

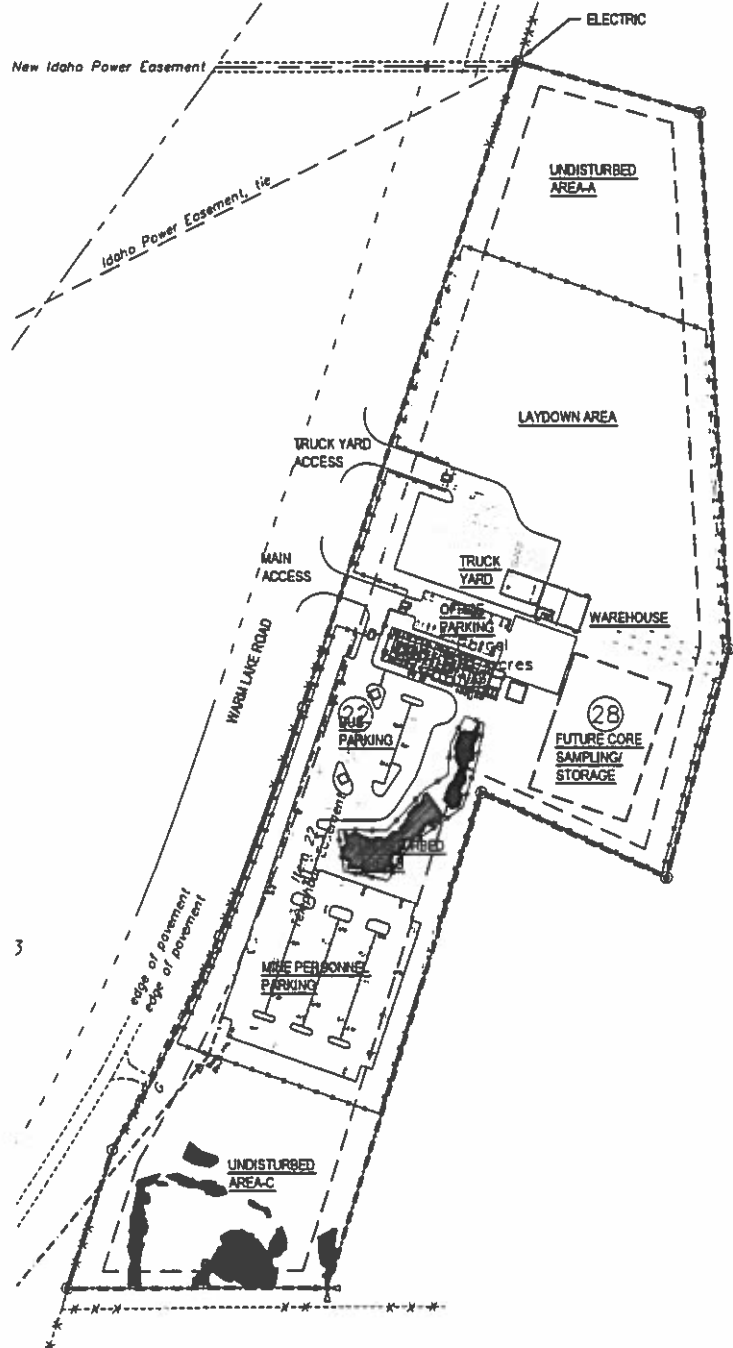


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



8/26/2020





### LOGISTICS FACILITY OVERALL SITE PLAN



**From:** Deborah E. Nelson <den@givenspursley.com>  
**Sent:** Thursday, September 3, 2020 2:05 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Cc:** Kyle Fend <fend@midasgoldinc.com>; 'Jordan Nielsen' <jnielsen@midasgoldinc.com>  
**Subject:** Midas Response to Appeal in CUP 20-12 [IWOV-GPDMS.FID832432]

Hi Cynda,

Please find attached Midas's Response to the Appeal filed by SSFS for CUP 20-12. Also attached is an Addendum to the Traffic Impact Study. The appendices for the Addendum are available in the link below.

[https://midasgold-my.sharepoint.com/:f/g/personal/jnielsen\\_midasgoldinc\\_com/EhhkoUGKz\\_JDquvSOs42fL4BLxBu0GHR8GukQoCrFhEKfw?e=AfvxfU](https://midasgold-my.sharepoint.com/:f/g/personal/jnielsen_midasgoldinc_com/EhhkoUGKz_JDquvSOs42fL4BLxBu0GHR8GukQoCrFhEKfw?e=AfvxfU)

Please let me know of any questions.

Thank you,  
Deb

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Jack W. Relf  
Michael O. Roe  
Robert B. White

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)  
James A. McClure (1924-2011)  
Raymond D. Givens (1917-2008)

September 3, 2020

**VIA E-MAIL:** [cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)

Valley County Board of Commissioners  
c/o Cynda Herrick  
219 North Main Street  
P.O. Box 1350  
Cascade, ID 83611

Re: Stibnite Gold Logistics Facility - CUP 20-12

Dear County Commissioners:

On behalf of applicant Midas Gold Idaho, Inc. ("Midas"), we provide this response to the July 27, 2020 appeal submitted by Save the South Fork Salmon Inc. ("Appellant").

Midas is seeking a conditional use permit ("CUP") to construct a logistics facility on Warm Lake Road that will support mining operations at the Stibnite Gold Project. The proposed Logistics Facility will include an administrative office with assay laboratory, a warehouse, hazardous materials storage, and core sampling and storage building. The Logistics Facility will provide an anticipated 42 new jobs close to Cascade, and it will reduce traffic by serving as a base to bus mine employees and to consolidate deliveries to the mine.

Appellant has not presented a valid basis for the Board to overturn the decision of the Commission approving the Logistics Facility CUP. Appellant simply desires a different outcome. The Commission's decision follows an extensive public review process and is supported by substantial evidence in the record.<sup>1</sup> Midas provided an impact report, plans, and studies in support of the application, as well as testimony responding to staff and Commissioner questions. County planning staff provided a written and verbal report analyzing the application and recommending conditions of approval. Members of the public provided written and verbal testimony. During the July 16, 2020 hearing, the issues before the Commission were thoroughly discussed, and the CUP was approved.

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<sup>1</sup> See VCC § 9-5H-7.B.

Under the Valley County Code, CUPs are allowed after “proper application, review, approval, and mitigation of impacts through conformance with conditions of approval.”<sup>2</sup> CUPs are *encouraged* where, in the opinion of the Commission, non-compatible aspects can be mitigated.<sup>3</sup> Consistent with these Code provisions, the Commission’s decision includes conditions of approval to mitigate potential impacts of the Logistics Facility, including those that address: when the use may commence (#3), compliance with all laws (#4), lighting (#5), waste disposal (#6), septic (#7), setbacks (#8, #9), perimeter landscaping (#13), hours of operation (#14), stormwater management (#15), access onto Warm Lake Road (#16), traffic (#17), and site reclamation (#18).

On appeal, the burden is on the Appellant to “clearly state . . . how the decision of the commission was not consistent with the preponderance of the evidence presented.”<sup>4</sup> Here, Appellant failed to include any such statement or to identify evidence in the record to satisfy their burden for any of the arguments they assert. Accordingly, Appellant’s appeal request is deficient and could be denied on that basis alone.

The Board is the final decision maker on a CUP that is appealed.<sup>5</sup> The Board may consider new evidence.<sup>6</sup> The Board may sustain, deny, amend, or modify the decision of the Commission.<sup>7</sup> The decision of the Board need not be referred back to the Commission.<sup>8</sup>

Appellant presents numerous arguments, but none provide a valid basis for the Board to overturn the decision of the Commission. The following sections of this response letter correspond to the five argument sections in Appellant’s appeal letter.

**1. The Commission’s approval was based on facts in the record and standards for CUPs in the Valley County Code.**

Section 1 of Appellant’s appeal letter contains a number of contentions, all of which lack merit.<sup>9</sup> First, Appellant incorrectly claims the Commission only approved the CUP to keep from hindering Midas’s progress in developing a mine.<sup>10</sup> Appellant ignores substantial evidence in the record that the Commission relied on to make its decision on this CUP application. The Commission thoughtfully considered the specific use of the Logistics Facility and its potential impacts before voting to adopt the recommendations of staff and approve the CUP.<sup>11</sup> The following statements are illustrative:

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<sup>2</sup> VCC § 9-5-1A.

<sup>3</sup> VCC § 9-5-2C.

<sup>4</sup> VCC § 9-5H-8.C.

<sup>5</sup> VCC § 9-5H-12.B.8.

<sup>6</sup> VCC § 9-5H-12.B.7.

<sup>7</sup> VCC § 9-5H-12.B.8.

<sup>8</sup> VCC § 9-5H-12.B.8.

<sup>9</sup> Appeal Letter, pp. 2–5.

<sup>10</sup> Appeal Letter, pp. 2, 5.

<sup>11</sup> Commission Hearing, 02:28:00–03:10:24.



*Commissioner Allen:* If [Midas] had approval [for mining operations] today, would we sit here tonight and approve [the CUP] based on the plan itself, or would we ask for some more review?<sup>12</sup>

*Commissioner Benton:* Well based on everything that I've read in the book, their book, and everything that I've read in the testimony, and listening to what they have, they do have a good plan.<sup>13</sup>

Later in the meeting, Commissioner Benton added:

My opinion right now, the way it stands is that I would approve, just based on the fact that they covered all the concerns. As far as visibility of the project, it's going to be hidden behind a tree line, plus a fence line. It's going to have full time security out there. It's going to have light sensors so the lights are only going to be working if someone is there. They address the power thing, which I think is pretty cool.<sup>14</sup>

The Commission commented several times that Midas had a good plan for the Logistics Facility.<sup>15</sup> The Commission addressed substantive issues consistent with applicable standards including potential impacts from traffic;<sup>16</sup> hazardous material storage;<sup>17</sup> and economic and social factors.<sup>18</sup> The record shows that the Commission based its decision on evidence in the record, specific to the CUP application, and not to simply accommodate Midas as Appellant claims.

Second, Appellant argues the approval is speculative and premature because Midas has not received all the necessary approvals for mining operations, and the Logistics Facility would not be built for several years.<sup>19</sup> Appellant's argument misstates the facts and does not provide a valid basis for denying the CUP.

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<sup>12</sup> Commission Hearing, July 16, 2020 at 02:40:30.

<sup>13</sup> Commission Hearing, July 16, 2020 at 02:40:44.

<sup>14</sup> Commission Hearing, July 16, 2020 at 03:06:33. Commissioner Benton was referring to an Idaho Power Substation that is presently visible from the road, but will be relocated to a less conspicuous location adjacent to the Logistics Facility.

<sup>15</sup> Commission Hearing, July 16, 2020 at 02:38:19; 02:39:40; 02:40:44.

<sup>16</sup> Commission Hearing, July 16, 2020 at 02:31:21 (addressing current traffic conditions along the Hwy. 55 corridor and the route from the Logistics Facility to the mine); 02:41:31 (concluding that ingress and egress to and from the Logistics Facility is not going to be a problem).

<sup>17</sup> Commission Hearing, July 16, 2020 at 02:34:06 (discussing the protocols in place for the transportation and management of hazardous materials); 02:41:20 (using Midas's comparison to a high school chemistry lab with regard to the type of hazardous materials to be stored at the Logistics Facility); 02:42:06 (Commissioner Freeman commented that hazardous materials are regulated. Commissioner Allen commented that he had "no problem with those issues at all" in reference to the discussion about hazardous materials. Commissioners Benton and Cooper discussed transportation and emergency contingencies in place for dealing with hazardous material.).

<sup>18</sup> Commission Hearing, July 16, 2020 at 02:33:12 (Commissioner Benton commented on the jobs Midas would bring in addition the tourism and service jobs. He also mentions the tax revenue the project would generate.); 02:41:12 (Commissioner Benton commented on the higher paying administrative jobs.); 02:41:46 (Commissioner Benton again mentions high paying jobs close to Cascade.).

<sup>19</sup> Appeal Letter, p. 2.

All projects are subject to external factors that could cause a project to delay commencement or not to proceed, such as changes in the applicant company, market fluctuations, increased cost of construction, or financing availability. The Code specifically provides flexibility for projects that will not commence within a year after the permit is issued.<sup>20</sup> As the Planning Administrator explained, “We have approved longer timelines . . . . We changed our ordinance to allow longer approvals for power facilities and other type of facilities so that they can get those in place in anticipation of their plan.”<sup>21</sup> In any event, the record shows that Midas plans to begin construction of the Logistics Facility within one year.<sup>22</sup>

The Logistics Facility application is not premature. In order to obtain other required permits for mining operations—including through an approved Environmental Impact Study required by the National Environmental Policy Act (“NEPA”)—Midas has to identify a specific site and obtain local approvals for the Logistics Facility concurrently with other permit applications. Even if other permits ultimately limit the scope of the mining operations, the Logistics Facility CUP assumes mining operations at full operational capacity so that, as required in the CUP application, all potential impacts are considered. Additionally, the scope of operations at the Logistics Facility is not directly correlated to the scope of operations at the mine. The Logistics Facility will employ administrative and support staff that will be necessary even if the scope of mining operations is smaller than proposed.

Third, Appellant argues that approving the CUP would violate Valley County’s contractual relationship with the Payette National Forest and other state and federal agencies.<sup>23</sup> This is not correct and, by this argument, Appellant is essentially asking the Board to abdicate its lawful jurisdiction over this matter. The Memorandum of Understanding referred to by Appellant expressly provides that it is not “intended to alter, limit, or expand the Parties’ statutory and regulatory authority.”<sup>24</sup> Valley County is bound to interpret, administer, and apply its zoning ordinances in accordance with the Idaho Local Land Use Planning Act (“LLUPA”) and applicable Idaho law.<sup>25</sup> In evaluating the CUP application, Valley County is properly exercising its independent authority and responsibility under Idaho law and consistent with the Memorandum of Understanding.

Finally, Appellant argues that approving the CUP “abdicate[s] [the County’s] authority by undermining the legally required analysis of a major Federal action.”<sup>26</sup> Again, this is not correct. Consistent with Valley County’s role as a cooperating agency in the NEPA process,

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<sup>20</sup> VCC § 9-5H-8.B.1 (emphasis added).

<sup>21</sup> Commission Hearing, July 16, 2020 at 02:47:28.

<sup>22</sup> “Constructing the Logistics Facility will occur over a 3-year period starting with clearing and grubbing in 2021. Grading and levelling will follow in the summer/fall of 2021 with construction and buildout starting in 2021 or 2022. The construction of the future core building would be following 2023.” Midas Application Impact Report, pp. 2-8. The conditions of approval (#13) require Midas to install perimeter landscaping prior to July 1, 2021.

<sup>23</sup> Appeal Letter, p. 4.

<sup>24</sup> Memorandum of Understanding among United States Department of Agriculture, Forest Service, Region 4 [and various other parties], FS Agreement No. 2017-0412-Stibnite Gold-MU-02a (August 2017) (“MOU”). This is consistent with NEPA regulations, which call upon the lead agency and cooperating agency to participate in the NEPA process early and fully. See 40 CFR § 1501.6.

<sup>25</sup> Idaho Code §§ 67-6501 – 67-6539.

<sup>26</sup> Appeal Letter, p. 4.

Valley County is free to review and comment on any environmental analysis in the Draft Environmental Impact Statement, including the environmental analysis regarding the Logistics Facility.<sup>27</sup> That is true regardless of whether the County approves the CUP. The County would have played this same role even if Midas had not yet filed the CUP application. By exercising its zoning authority and obligation to review a CUP application, Valley County is not “abdicating” its legal responsibilities or “undermining” the NEPA process.<sup>28</sup>

**2. Traffic impacts associated with the Logistics Facility are adequately analyzed and will be fully mitigated.**

Appellant argues the Traffic Impact Study (“TIS”) submitted with the CUP is outdated, does not account for future growth, and does not consider all trips for the Logistics Facility.<sup>29</sup>

The TIS is not outdated. Prepared by HDR in September 2017, the TIS analyzes the capacity of impacted roadways and intersections out to 2040. The TIS is only three years into its twenty-three year projections. The TIS also accounts for future growth. The TIS analyzes both the existing background conditions and the build conditions, and it applies a 3% annual growth factor to take into account future growth based on historic and current growth trends. The TIS also analyzes trips associated with the mining operation, including the consolidated trips from the Logistics Facility for mining employees and for deliveries and service vehicles.

To clarify the record for purposes of this appeal, HDR has prepared an Addendum to the TIS to provide updated information and specific analysis of trips generated by employees traveling to and from the Logistics Facility. It is anticipated that many employees at the Logistics Facility will live in Cascade or other close locations and so are expected to travel shorter distances on area roadways. Employees at the Logistics Facility will generally not be working on weekends, when much of the area’s congestion occurs from weekend visitors and recreationists.

The results of the Addendum study are consistent with the results of the 2017 TIS that was before the Commission. Based on existing conditions and based on projected growth in the area through 2040, improvements will be needed at the Warm Lake, Deinhard and Boydston intersections with SH55, with or without Midas’s addition of trips. Midas’s addition of trips will not cause any intersection level of service to fall below acceptable levels, and Midas’s contribution to intersection improvements will help address existing deficiencies and future impacts from growth.<sup>30</sup>

For example, Midas’s trips at the Warm Lake and SH55 intersection, for all mine activities including the Logistics Facility, are only 24.6% of the intersection volume in 2022 and

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<sup>27</sup> Pursuant to the MOU, Valley County will assist the Forest Service in obtaining necessary information, in reviewing the DEIS, and provide comments within the required timeframe. MOU at 13.

<sup>28</sup> The NEPA regulations cited by Appellant do not apply here. *See* Appeal Letter at 4 n.16 (citing 40 CFR §§ 1508.25, 1506.1, 1506.2). By evaluating a CUP consistent with its responsibilities under Idaho law, the County is not segmenting the project; prejudicing the Forest Service’s decision regarding the alternatives to adopt; or failing to integrate environmental impact statements into State and local planning processes.

<sup>29</sup> Appeal Letter, pp. 5–8.

<sup>30</sup> TIS Addendum, p. 26.

9.6% of the intersection volume in 2040.<sup>31</sup> Yet, Midas has committed to fund and construct 100% of the recommended improvements at the Warm Lake and SH55 intersection to address existing and future capacity issues, as a condition of the project. Midas will continue working with ITD and Valley County on the final design and construction of these improvements.

Midas also will continue working with ITD and the City of McCall on the design and construction of recommended improvements within McCall's jurisdiction at the Deinhard/SH55 and Boydston/SH55 intersections. Midas will contribute to the costs of these improvements to ensure it has fully mitigated the traffic impacts of all mine activities including the Logistics Facility at these intersections.

For all of these reasons, traffic impacts associated with the Logistics Facility are adequately analyzed and will be fully mitigated. Appellant has not provided any basis for the Board to reach a different conclusion than the Commission.

**3. The Logistics Facility, and promotion of mining as an industry, is consistent with the Valley County Comprehensive Plan.**

Appellant claims the Logistics Facility is not consistent with the Comprehensive Plan's goal to retain rural and small town character and preserve agricultural land (the "Plan").<sup>32</sup> To the contrary, the Logistics Facility satisfies multiple goals of the Plan:

- The Plan confirms that mining is historically important<sup>33</sup> and continues to be a priority to the County with the express goal to "assure mining remains a viable element in Valley County's economy" and to "[e]ncourage mining if it meets environmental standards and complies with water quality goals."<sup>34</sup>
- Another goal of the Plan is to "promote and encourage activities which will maintain a strong, diversified economy" by "[m]aintain[ing] the important role of the timber industry, tourism, outdoor recreation, *mining* and agriculture in the local economy."<sup>35</sup>
- The Logistics Facility is consistent with the Plan's goal to encourage developers to provide capital improvements to roads.<sup>36</sup> Midas has already agreed to fund road improvements at three key intersections, which will address not only Midas's added trips but will also help address deficiencies caused by existing conditions and projected growth.
- The Logistics Facility is consistent with the Plan's goal to "assure that new development pays for its own impacts on facilities, utilities, and services."<sup>37</sup> Midas is working closely with Idaho Power to upgrade and extend 73 miles of transmission line to 138-kV from the Lake Fork Substation to a new Johnson Creek

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<sup>31</sup> TIS Addendum, Table 31, p. 26.

<sup>32</sup> Appeal Letter, pp. 8-9.

<sup>33</sup> Valley Cty. Comp. Plan at 1.

<sup>34</sup> Valley Cty. Comp. Plan, Goal 4.5 at 19; Objective 4.5.1 at 19.

<sup>35</sup> Valley Cty. Comp. Plan, Goal 9.1.3; Objective 9.1.3 at 49 (emphasis added).

<sup>36</sup> Valley Cty. Comp. Plan at 34.

<sup>37</sup> Valley Cty. Comp. Plan, Goal 11.2 at 60.

Substation. Midas will bear the cost of these upgrades, including permitting and engineering, with no additional cost to rate payers.

- The Logistics Facility is an allowed use in the rural land use designation in the Plan.<sup>38</sup> The Logistics Facility is appropriately located in a rural area slightly outside city limits. The site along Warm Lake Road is less conspicuous than locations nearer to town and less likely to detract from the tourist-centric communities in Cascade, Donnelly, or McCall. The closest residence to the site is over one mile away. The location is ideal for consolidating trips to the mine with close access to Hwy 55. Traffic between the Logistics Facility and the mine will be greatly reduced as employees are shuttled on buses and shipments are consolidated before transportation to the mine. The Logistics Facility will not affect surrounding uses, which is primarily seasonal, low density livestock grazing.<sup>39</sup>

Appellant also claims the Commission's decision violates LLUPA based on Appellant's allegation that the CUP is inconsistent with the Plan.<sup>40</sup> This claim is not only factually incorrect, as described above; it is also legally incorrect. The Idaho Supreme Court has been clear in cases involving CUP applications that a comprehensive plan is only a guide and does not operate as controlling zoning law.<sup>41</sup> Further, a CUP application need not satisfy each and every goal in a comprehensive plan before a jurisdiction may determine the application is consistent with the Plan. Consistent with Idaho law, the Plan itself states that it is just a guide and "not a zoning ordinance or a blueprint for specific development."<sup>42</sup>

The proposed Logistics Facility is consistent with the Valley County Comprehensive Plan, and Appellant's arguments based on the Plan lack merit.

#### **4. The Logistics Facility positively impacts housing affordability.**

Appellant argues Midas "completely disregarded" the issue of housing affordability.<sup>43</sup> To the contrary, the record clearly shows Midas addressed impacts of the project on housing affordability in its Application Narrative at page 2-2.

Appellant also argues the Commission failed to consider the project's impacts on housing affordability, which Appellant erroneously claims is arbitrary and contrary to law.<sup>44</sup> The Commission is not legally obligated to discuss during a hearing every aspect of a CUP application. The Code, in 9-5-3D, identifies numerous topics (over 20) for an applicant to

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<sup>38</sup> Valley Cty. Comp. Plan at 71.

<sup>39</sup> CUP Application, p. 2.

<sup>40</sup> Appeal Letter, p. 10.

<sup>41</sup> *Krempasky v. Nez Perce Cty. Planning & Zoning*, 150 Idaho 231, 237 (2010) ("A comprehensive plan does not operate as legally controlling zoning law, but rather serves to guide and advise the governmental agencies responsible for making zoning decisions." *Id.* at 237); *Whitted v. Canyon Cty. Bd. of Comm'rs*, 137 Idaho 118, 122-23 (2002). *See also, Evans v. Teton Cty.*, 139 Idaho 71, 79 (2003) (holding that "the Comprehensive Plan does not provide a legal basis for this Court to reverse the Board of Commissioners' decision to approve the [PUD] application").

<sup>42</sup> Valley Cty. Comp. Plan at 4.

<sup>43</sup> Appeal Letter, p. 10.

<sup>44</sup> Appeal Letter, pp. 9-10.

address in the application materials, which Midas in fact did.<sup>45</sup> The Code does not require the Commission to deliberate on or to make findings specific to every one of these topics. Instead, the Commission may focus on standards it considers especially relevant based on the particular project at issue.<sup>46</sup>

Appellant further argues the Commission's decision violates LLUPA because, according to the Appellant, the CUP is inconsistent with Comprehensive Plan goals regarding housing affordability.<sup>47</sup> As pointed out in Section 3 above, Idaho courts have made clear that a comprehensive plan is only a guide and not legally binding law. And, a CUP application need not satisfy each and every goal in a comprehensive plan before a jurisdiction may determine the application is consistent with the plan. In any case, as discussed below, Midas will have a positive impact on housing affordability in the County, both directly and indirectly.

Housing affordability – i.e., one's ability to afford housing – necessarily involves two factors: the price of housing and one's financial resources to afford that price. The Logistics Facility will positively impact this equation by paying higher wages. Employees at the Logistics Facility are expected to make between \$44,000 to \$185,000, for an average annual wage of \$65,615 plus benefits. Of these, 29 positions pay \$60,000 or higher. The Commission praised the Logistics Facility's addition of close-in, high-paying jobs.<sup>48</sup>

Midas is also creating a positive indirect impact on housing affordability and availability by infrastructure development that will support more housing development. Power availability is currently a limiting factor for new home construction in the Cascade area. Required infrastructure upgrades necessary to serve new housing developments or future phases of existing developments can cost millions of dollars. Midas is providing new and upgraded substations and 73 miles of new or upgraded transmission lines. A new power substation will be located just outside of Cascade. These improvements will decrease the distance and cost associated with connecting residential developments with the power grid, making residential development more economically viable.

The Logistics Facility's higher wages and Midas's power improvements positively impact housing affordability. The Commission appropriately did not require any further mitigation to support the CUP.

**5. Midas properly addressed hazards associated with the Logistics Facility and how they will be mitigated.**

Appellant claims Midas has not sufficiently described "the extent and use of hazardous material that will be transported on County roads to and from the Logistics Facility and the SGP."<sup>49</sup> This claim is contradicted by the record. Midas provided a list of the hazardous materials that will be used at the Logistics Facility and described how those hazardous materials will be managed to mitigate potential impacts. These materials include: 37%

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<sup>45</sup> Midas Application Narrative, pp. 2-1–2-8.

<sup>46</sup> Even a final written decision need only consider "relevant" standards. *See* Idaho Code § 67-6535.

<sup>47</sup> Appeal Letter, p. 10.

<sup>48</sup> Commission Hearing, July 26, 2020 at 02:33:12; 02:41:12; 02:41:46.

<sup>49</sup> Appeal Letter, p. 10.

hydrochloric acid, 65% nitric acid, bromine elemental, acetylene gas, nitrous oxide gas, oxygen, litharge lead oxide, iron, and tungsten.<sup>50</sup> In addition to these chemicals, trucks hauling cyanide will park at the Logistics Facility to be escorted to the mine by pilot cars and emergency response vehicles. No cyanide will be stored, or even transferred, at the Logistics Facility. Consistent with the Code, Midas detailed how potential impacts related to hazards would be minimized in accordance with stringent regulatory law:

- Hazardous chemicals will be transported in U.S. Department of Transportation (“USDOT”)-certified containers and by USDOT-registered transporters, who will comply with applicable USDOT, Occupational Safety and Health Act, and Mine Safety and Health Administration regulations.
- Personnel transporting, handling, or using any hazardous chemicals will be trained under Federal regulations to ensure the safe use of such materials.
- Hazardous chemicals will be stored pursuant to manufacturer recommendations and Federal Occupational Safety and Health Administration regulations for safety and to prevent environmental releases.
- Fuel and other petroleum products at the site will be stored in above-ground containment structures with appropriate secondary containment measures pursuant to Federal and State law.
- Midas will maintain a Spill Prevention, Control, and Countermeasures (“SPCC”) Plan for the operation as required by 40 Code of Federal Regulations Part 112. The SPCC plan will address site-specific spill prevention measures, fuel haul guidelines, fuel unloading procedures, inspections, secondary containment of all onsite fuel storage tanks, and staff training.
- All facilities will have fire extinguishers and smoke detectors and will meet Federal, State and County fire and building code requirements for health and safety.

Even before hazardous materials arrive at the Logistics Facility, they are closely regulated under Federal law, including the Resource Conservation and Recovery Act (“RCRA”) and the Emergency Planning and Community Right to Know Act (“EPCRA”). RCRA gives the U.S. Environmental Protection Agency the authority to control every step of hazardous material generation, transportation, treatment, storage, and disposal.<sup>51</sup> EPCRA increases the public’s knowledge and access to information on chemicals at individual facilities by requiring Midas to document, notify and report specific information about the hazardous materials it uses in a manner substantially similar to the reporting suggested by Appellant. Under EPCRA, Midas is required to prepare Material Safety Data Sheets for each chemical covered by the Act, which are available to the public upon request.<sup>52</sup>

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<sup>50</sup> Commission Hearing, July 16, 2020 at 01:01:38.

<sup>51</sup> See 42 U.S.C. § 6901 *et seq.* (2020).

<sup>52</sup> 42 U.S.C. § 11021(a), (c) (2020).

Explosive-related materials will be delivered straight to the mine site and stored in compliance with applicable Federal and State laws and regulations.<sup>53</sup> Explosives will not be stored at the Logistics Facility.

The conditions of approval recommended by staff require Midas to comply with all applicable laws and specifically to “provide and maintain orderly and proper disposal of . . . hazardous waste.”<sup>54</sup> The Commission specifically discussed the potential impacts of hazardous material and determined that Midas had adequately addressed the impacts.<sup>55</sup>

### CONCLUSION

The Commission conducted a thoughtful and deliberative process and sensibly considered the CUP application and facts in the record in accordance with applicable standards in the Valley County Code. Appellant has failed to meet its burden to show that the Commission’s decision was inconsistent with the preponderance of the evidence presented, as required by Valley County Code § 9-5H-8.C, and Appellant has not provided any other valid reason for the Board to overturn the Commission’s approval of the CUP.

We respectfully ask the Board to consider all of the facts in the record before you as measured by the CUP standards in your Code, deny the appeal, and approve the CUP.

Sincerely,



Deborah E. Nelson  
Givens Pursley LLP

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<sup>53</sup> Like other hazardous material, explosives are carefully regulated by the federal government. Both the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“BATFE”) and the Mines Safety and Health Administration (“MSHA”) regulate the transportation, handling, storage, and use of explosives.

<sup>54</sup> Staff Report at 7.

<sup>55</sup> Commission Hearing, July 16, 2020 at 02:42:36.



**From:** Deborah E. Nelson <den@givenspursley.com>  
**Sent:** Tuesday, September 8, 2020 3:41 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Cc:** Kyle Fend <fend@midasgoldinc.com>; Jordan Nielsen <jnielsen@midasgoldinc.com>  
**Subject:** Appeal of CUP 20-12 (Stibnite Gold Logistics Facility) [IWOV-GPDMS.FID832432]

Hi Cynda,  
Please find attached additional information for the record in CUP 20-12.  
Thank you,  
Deb

---

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## Valley County - 2019 Annual Ownership: All Ownership - Table

Table      Year: 2019      Ownership:  All Ownership      County: Valley      Show Suppressed Row.. All      NAICS Title:  Total, All Industries

Graphic

**Data Type (For Graphic Only):**  
 Avg. Employment      Quarter: Annual  
 Establishments  
 Total Wages  
 Avg. Weekly Wage

Private  
 Local Govt.  
 State Govt.  
 Federal Govt.



\*The Suppressed flag indicates censored data. Employment and wages may be undercounted within ...

NAICS Code	NAICS Title	Establishments	Average Employment	Total Wages	Average Weekly Wage
10	Total, All Industries	655	4,941	\$186,939,515	\$728

\$728 per week multiplied by 52 weeks = \$37,856 per year



**WEST CENTRAL MOUNTAINS**  
**ECONOMIC DEVELOPMENT COUNCIL**  
Valley County · Cascade · Donnelly · McCall · Meadows Valley

**UPDATED: 2020 West Central Mountains Housing Affordability Report--August, 2020**

**INTRODUCTION:**

Throughout the summer and early fall of 2019, we conducted a needs assessment for housing across the West Central Mountains region of Idaho, which included the towns of Cascade, Donnelly, McCall, unincorporated Valley County, New Meadows, and unincorporated northern Adams County (Meadows Valley). This assessment was conducted through a survey of employees across the region. We asked them the following 21 questions to learn about employee housing needs and real and perceived sense of housing security now and in the future. The goal for this data is to better understand what housing types should be built, where and at what price point. Additionally, in 2020 we have added some market analysis information to this report that supports price points against absorption rates and some of the recent indicators pertinent to the COVID-19 pandemic. Deal flows across all market products are up, as are building permits and overall interest in virtually all real estate investments across the region (see Appendix A):

**SURVEY QUESTIONS (See appendix B for results):**

1. Which town would you consider your home base?
2. What industry do you currently earn your primary income from?
3. Are you primarily a seasonal employee or year-round?
4. What is your total annual household income?
5. What type of home do you currently live in?
6. Is your current home your primary residence or a second home?
7. Does your CURRENT living situation meet your CURRENT personal needs?
8. Does your CURRENT living situation meet your FUTURE personal needs for yourself, family, career or other personal considerations?
9. Do you rent or own?

10. How long do you plan to live and work in the West Central Mountains region?
11. Of the following, what is your housing type preference?
12. How much are you able to comfortably pay in rent or a mortgage each month for yourself and any dependent family members, not including utilities?
13. How much do you currently pay in rent/mortgage monthly, NOT including utilities?
14. How many people are you responsible for in your household (dependents, not counting roommates)?
15. How far do you commute to work each workday?
16. On a scale of one (least important) to ten (most important), how important is closeness of your home to your work?
17. In a perfect world, what size of home would serve your needs?
18. What size of home do you currently live in?
19. How many people currently live in your home, including roommates and/or family?
20. Do you feel secure in your housing situation, now and in the future?
21. Please take a moment to share your housing insights with us. Tell us about what you've experienced and what you hope for in the future. Note if your housing situation may be a factor in an upcoming potential relocation or if it has had an impact on your quality of life. Thank you for taking the time to provide us with this information.

**SUMMARY:**

Market absorption (the speed at which a property listing is purchased--average days on market at varying price points and product types) may be a key indicator of housing stock availability and affordability in Valley County and Adams County. Approximately 75% of Valley County's housing stock (depending on location) are likely second homes, many of which reside within the short term rental pool, which can be highly corrosive to local housing stock. One could reasonably assume that homes hitting the market roughly mirror the percentages of volume for short term purchases versus permanent resident purchases. Wage data paints a bleak affordability picture for many sectors, specifically restaurant/retail and accommodation hospitality. The COVID-19 pandemic has exacerbated challenges as there is a meaningful "land grab" occurring that is driving prices up and limiting housing stock at most price points in 2020 (see appendix A).

**AFFORDABILITY ANALYSIS:**

Appendix A contains the source data for this analysis. If the majority of WORKING (not counting the higher income retirees who are prolific in the region and tend to skew data) households make \$25k-\$50k per year, the maximum lendable debt to income ratio for most banks is 43% in most conventional lending situations and the majority of homes cost between \$300K and \$400K (for this analysis we'll assume a median price of \$369,281 based on current Zillow data), one can reasonably assume that most local folks cannot afford to buy a home in the current local market. In fact, many sectors don't provide a livable wage for renting in many parts of the region. Concurrently, the market has outpaced affordability even for many higher wage sectors in recent months due to the "COVID-19" land grab of 2020.

In order to convert a meaningful amount of the local housing stock to local owner/occupants instead of second homes, household wages need to rise to at least an average of \$4425/month or house prices need to contract to at most a roughly \$250,00 to \$325,000 average price point, give or take interest rates and downpayment ratios. Higher paying employer's wages would satisfy the prior scenario. We have little to no control over the latter scenario (market driven).

Mortgage analysis: Principle Interest Taxes and Insurance (PITI) is approximately \$1,900 a month for the average home in the current market (Aug. 2020), which would require an annual salary of at least \$53,100 (\$4425/month) with no other debt payments. Add in a car payment, student loans and credit card debt and housing affordability gets quickly out of range for most local people. According to our basic survey analysis (see Appendix B), only about 12.5% of working folks might be able to afford the current median home price (this data is a little loaded, as our survey sample has not been normalized across sectors/locations, but the picture is still clear that there is a major, quantifiable gap in affordability).

**APPENDIX A: Supplemental Data**

Mountain Central Association of Realtors (MCAR) Market Summary YTD 2020--note that the largest volume of homes cost between \$300,000 - \$499,000.

Market Summary by Sold Price						
Price Range	Count	Sum Price	Average Price	Median Price	Average DOM	
\$0 - \$99,999	21	\$1,382,732	\$65,844	\$71,000	115	
\$100,000 - \$199,999	23	\$3,437,000	\$149,435	\$143,000	145	
\$200,000 - \$299,999	37	\$9,472,201	\$256,005	\$257,000	113	
\$300,000 - \$399,999	55	\$19,139,649	\$347,994	\$345,000	176	
\$400,000 - \$499,999	41	\$18,111,860	\$441,753	\$440,000	102	
\$500,000 - \$599,999	19	\$10,508,650	\$552,982	\$550,000	103	
\$600,000 - \$699,999	13	\$8,536,295	\$656,638	\$665,000	120	
\$700,000 - \$799,999	9	\$6,802,475	\$755,831	\$759,900	111	
\$800,000 - \$899,999	8	\$6,769,800	\$846,225	\$836,250	188	
\$900,000 - \$999,999	3	\$2,914,000	\$971,333	\$990,000	335	
\$1,000,000 - \$1,099,999	2	\$2,100,000	\$1,050,000	\$1,050,000	234	
\$1,100,000 - \$1,199,999	1	\$1,125,000	\$1,125,000	\$1,125,000	337	
\$1,200,000 - \$1,299,999	1	\$1,200,000	\$1,200,000	\$1,200,000	240	
\$1,300,000 - \$1,399,999	1	\$1,375,000	\$1,375,000	\$1,375,000	36	
\$1,400,000 - \$1,499,999	3	\$4,375,000	\$1,458,333	\$1,450,000	82	
\$1,500,000 - \$1,599,999	1	\$1,585,000	\$1,585,000	\$1,585,000	98	
\$1,600,000 - \$1,699,999	1	\$1,605,000	\$1,605,000	\$1,605,000	41	
\$1,900,000 - \$1,999,999	2	\$3,875,000	\$1,937,500	\$1,937,500	807	
\$2,000,000 - \$2,099,999	1	\$2,000,000	\$2,000,000	\$2,000,000	75	
\$2,100,000 - \$2,199,999	2	\$4,200,000	\$2,100,000	\$2,100,000	243	
\$2,600,000 - \$2,699,999	1	\$2,600,000	\$2,600,000	\$2,600,000	60	
\$2,700,000 - \$2,799,999	2	\$5,450,000	\$2,725,000	\$2,725,000	339	
\$3,000,000 - \$3,099,999	1	\$3,000,000	\$3,000,000	\$3,000,000	42	
<b>Totals:</b>	<b>248</b>	<b>\$121,562,662</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Averages:</b>	<b>--</b>	<b>--</b>	<b>\$490,172</b>	<b>\$378,350</b>	<b>142</b>	

## MCAR Market Summary Same Time 2019

### Market Summary by Sold Price

Price Range	Count	Sum Price	Average Price	Median Price	Average DOM
\$0 - \$99,999	15	\$897,000	\$59,800	\$62,000	73
\$100,000 - \$199,999	31	\$5,080,600	\$163,890	\$169,900	141
\$200,000 - \$299,999	47	\$11,952,600	\$254,311	\$255,000	157
\$300,000 - \$399,999	42	\$14,773,257	\$351,744	\$351,800	112
\$400,000 - \$499,999	49	\$21,709,028	\$443,041	\$436,000	135
\$500,000 - \$599,999	23	\$12,581,580	\$547,025	\$533,780	135
\$600,000 - \$699,999	12	\$7,657,500	\$638,125	\$632,500	264
\$700,000 - \$799,999	5	\$3,667,400	\$733,480	\$749,900	169
\$800,000 - \$899,999	6	\$5,185,500	\$864,250	\$887,000	764
\$900,000 - \$999,999	1	\$900,000	\$900,000	\$900,000	138
\$1,000,000 - \$1,099,999	2	\$2,074,500	\$1,037,250	\$1,037,250	137
\$1,100,000 - \$1,199,999	2	\$2,200,000	\$1,100,000	\$1,100,000	317
\$1,300,000 - \$1,399,999	1	\$1,355,000	\$1,355,000	\$1,355,000	412
\$1,400,000 - \$1,499,999	1	\$1,400,000	\$1,400,000	\$1,400,000	46
\$1,500,000 - \$1,599,999	1	\$1,550,000	\$1,550,000	\$1,550,000	82
\$1,800,000 - \$1,899,999	2	\$3,640,000	\$1,820,000	\$1,820,000	48
\$1,900,000 - \$1,999,999	1	\$1,990,000	\$1,990,000	\$1,990,000	182
\$2,100,000 - \$2,199,999	1	\$2,100,000	\$2,100,000	\$2,100,000	197
\$2,600,000 - \$2,699,999	1	\$2,600,000	\$2,600,000	\$2,600,000	31
\$3,100,000 - \$3,199,999	1	\$3,100,000	\$3,100,000	\$3,100,000	237
<b>Totals</b>	<b>244</b>	<b>\$106,413,965</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Averages:</b>	<b>-</b>	<b>-</b>	<b>\$437,918</b>	<b>\$378,577</b>	<b>157</b>

7/7/2020 2:23:21 PM

Living wage data: <https://livingwage.mit.edu/counties/16085>

Sector/job data aggregate:

[http://www.gemstateprospector.com/site-selection.html?zpeDID=COMMUNITIES\\_16085](http://www.gemstateprospector.com/site-selection.html?zpeDID=COMMUNITIES_16085)

Labor Market Data (with sector wages):

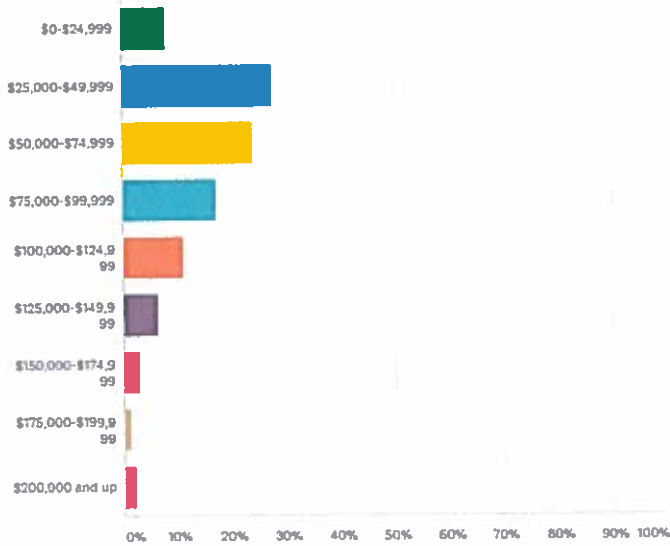
<https://lmi.idaho.gov/Portals/0/2020/WorkforceTrends/ValleyProfile.pdf>

Current average home price data: <https://www.zillow.com/valley-county-id/home-values/>

## APPENDIX B--Survey Results 2019

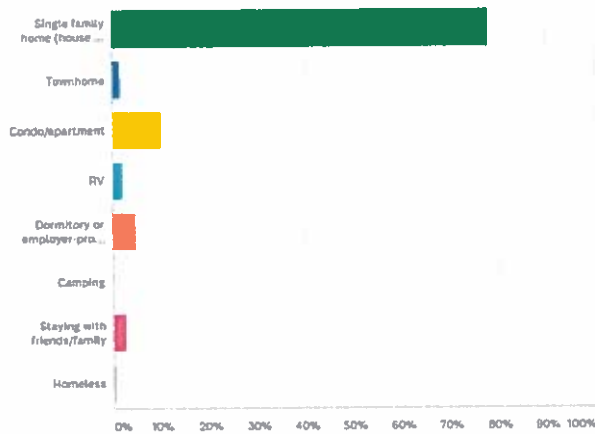
**KEY TAKEAWAYS:**

- Most households surveyed earn less than \$75,000 per year, with the largest group (27%) earning less than \$50,000 (household) per year:



- The vast majority of respondents (78%) currently live in single family housing:  
What type of home do you currently live in?

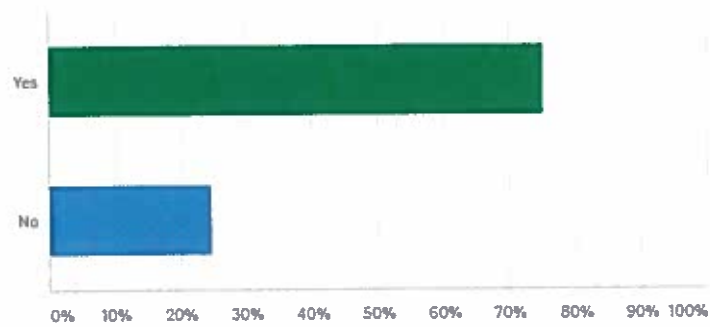
Answered: 599 Skipped: 4



- 25% of respondents feel they have insufficient housing for their current situation

Does your CURRENT living situation meet your CURRENT personal needs?

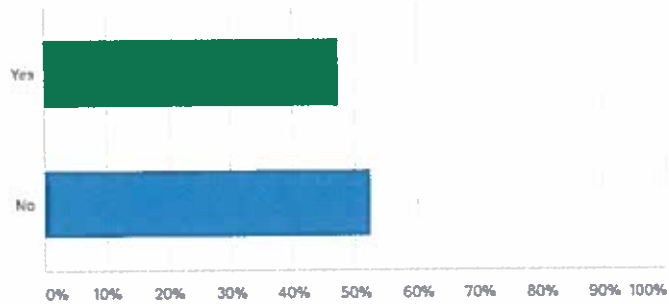
Answered: 600 Skipped: 3



- **53% of respondents' housing will not meet their future needs:**

Does your CURRENT living situation meet your FUTURE personal needs for your self, family, career or other personal considerations?

Answered: 597 Skipped: 6

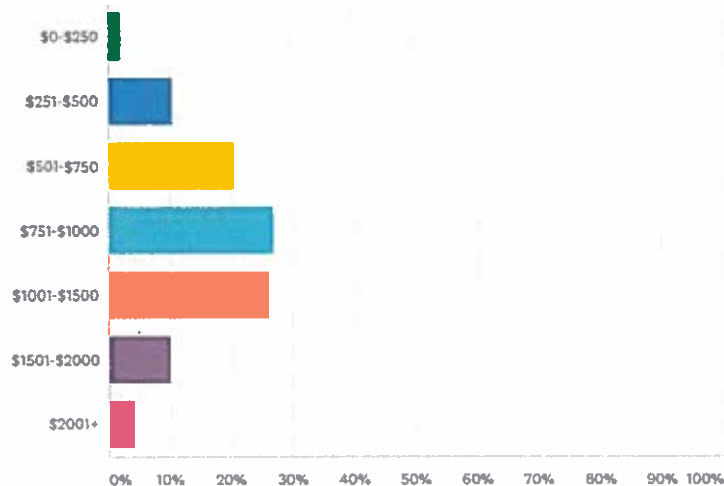


- 63% of respondents own their homes
- 79% of respondents see themselves living and working in the region for 5+ years.
- 91% of respondents aspire to live in single family housing.
- 53% of respondents can afford under \$1,500 a month for rent or a mortgage, with the majority able to afford under \$1,000 a month (27%).



How much are you able to comfortably pay in rent or a mortgage each month for yourself and any dependent family members, not including utilities?

Answered: 598 Skipped: 5



- 84% of respondents currently pay less than \$1,500 a month in rent or mortgage
- 58% of respondents have 2+ dependents
- 60% of respondents commute less than 5 miles for work, and the average rating of importance for how close home is to work was 74 out of 100 (with 0 being not important and 100 being highly important).
- 68% of respondents aspire to a minimum 3 bedroom home in the long term
- 36% of respondents don't feel secure in their housing situation, now and in the future:
  - 45% of retail employees don't feel secure in their housing
  - 44% of accommodation/hospitality employees don't feel secure in their housing
  - 42% of healthcare employees don't feel secure in their housing
  - 32% of education employees don't feel secure in their housing
  - 32% of construction/trades employees don't feel secure in their housing
  - 33% of professional services employees don't feel secure in their housing
  - 37% of government employees don't feel secure in their housing
  - 11% of natural resources/ag employees don't feel secure in their housing
  - 50% of nonprofit employees don't feel secure in their housing
  - 24% of other employees don't feel secure in their housing

**WHAT NEXT?: We need to be looking at strategies to either convert existing second home housing stock over to the long term rental market, raise wages across most sectors or be building 3 bedroom single family homes at a sub-\$1,500/month price point within 5 miles of employment centers. Higher density market rate projects are valuable and viable for housing security and short to medium term housing options for many**

**employment sectors, however, people eventually aspire to single family options; which impacts long term talent retention rates.**

The amended data are available here:

<https://www.surveymonkey.com/results/SM-YC5W3NZQ7/>

*\*\*While WCMEDC's survey data generally paints a very realistic picture of the housing market demand in the West Central Mountains region of Idaho, it is by no means comprehensive. A reasonable person could assume that there may be survey bias at play, where people who are feeling a more imminent housing pinch would be more inclined to take the survey. Also, some surveys were gathered through online means and some through employers directly, so there may be oversampling or undersampling for certain populations. All analysis is from raw data and no weighting has occurred in this report's analysis. That said, this data is for information purposes only.*



# Transportation Impact Study - Addendum

Midas Gold Idaho, Inc.  
Stibnite Gold Logistics Facilities

*Valley County, Idaho*

September 2, 2020



Prepared for





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## Acronyms

AADT	annual average daily traffic
AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
ATR	automatic traffic recorder
EB	eastbound
EBL	eastbound left turn movement
EBT	eastbound through movement
EBL/T	eastbound left turn/through shared lane
EBL/T/R	eastbound left turn/through/right turn shared movement
EBR	eastbound right turn movement
FHWA	Federal Highway Administration
HCM	Highway capacity Manual
HDR	HDR Engineering, Inc.
HSM	Highway Safety Manual
IDAPA	Idaho Administrative Procedures Act
ITD	Idaho Transportation Department
ITIP	FY2018-24 Draft Idaho Transportation Investment Program
KN	Key number
L2	L2 Data Collection
LOS	level of service
MGII	Midas Gold Idaho, Inc.
mph	miles per hour
MPO	metropolitan planning organization
MUTCD	Manual on Uniform Traffic Control Devices
MV	million vehicles entering intersection
NB	northbound
NBL	northbound left turn movement
NBL/T/R	northbound left turn/through/right turn shared movement
NBT/R	northbound through/right turn shared movement
NBR	northbound right turn movement
NCHRP	National Cooperative Highway Research Program
PDO	property damage only
Project	Stibnite Gold Project
PTSF	Percent-time spent following
SB	southbound
SBL	southbound left turn movement
SBL/T/R	southbound left turn/through/right turn shared movement
SBT/R	southbound through/right turn shared movement
SBR	southbound right turn movement
SGLF	Stibnite Gold Logistics Facility
SH-55	State Highway 55
s/veh	seconds per vehicle
TIS	transportation impact study
US-95	U.S. Highway 95
v/c	volume to capacity ratio
WB	westbound
WBL	westbound left turn movement
WBL/T	westbound left turn/through shared lane
WBL/T/R	westbound left turn/through/right turn shared movement
WBT	westbound through movement
WBR	westbound right turn movement



# Executive Summary

Midas Gold Idaho, Inc. (MGII) proposes to restore the historic Stibnite, Idaho, mine site before, during, and after developing a modern mining operation that produces gold, silver, and the strategic mineral, antimony. MGII's plan for restoration and operation is to conduct site cleanup, mining, ore processing, and reclamation work at its Stibnite Gold Project (Project) in central Idaho.

In an effort to reduce traffic to and from the Project and provide more regular weekday jobs within the local community, MGII will locate off-site administrative offices for the operation in Valley County with easy access to State Highway 55 (SH-55) from Warm Lake Road. These facilities will be collectively known as the Stibnite Gold Logistics Facilities (SGLF) and will be located approximately 8.5 miles east of SH-55 on Warm Lake Road as shown in **Figure 1**. All figures are found in **Appendix A**.

MGII is committed to working with ITD, Valley County, and local communities to improve the state and local transportation system to mitigate impacts associated with their operations. This transportation impact study (TIS) addendum is intended to help achieve that goal.

## Purpose of Report and Study Objectives

The purpose of the original TIS completed in 2017 was to evaluate transportation issues and needed improvements to maintain adequate level of service (LOS) and safety on the state and local transportation network serving the SGLF. The original TIS objectives include the following:

1. Analyzing all surface transportation modes that will be affected by the proposed SGLF, including light and heavy motor vehicles, pedestrians, bicycles, and public transportation services.
2. Determining whether transportation improvements to the study area roadways and intersections are necessary to accommodate traffic volumes generated by the SGLF.
3. Evaluating safety issues and determining appropriate mitigation.
4. Coordinating improvements with ITD District 3, Valley County, and local city transportation plans and projects.

The purpose of this addendum to the original TIS is to account for potential employee traffic accessing the SGLF in order to use MGII provided bus transport to the Stibnite Gold Project and those working at the SGLF. This includes updating the trips generated by the SGLF and the associated analyses to verify the proposed improvements will adequately serve the proposed travel demand. Trips were consolidated from a seven day week to the five day work week to avoid trips on the weekend based on discussion with MGII staff. The following addendum updates specific sections from the original TIS report. Any TIS report sections not included in this addendum are assumed to be consistent with no significant changes.

## SGLF Location, Site Plan, and Study Area

The SGLF is located in Valley County, Idaho, approximately 8.5 miles east of SH-55 on Warm Lake Road. The site location is presented in **Figure 1**. A preliminary site plan of the proposed SGLF



development is presented in **Figure 2**. The layout is conceptual for the purposes of this study and may be updated.

The transportation impact analysis area is larger than the SGLF due to the trip generation impacts expected along SH-55 north and south of Warm Lake Road. The study area is presented in **Figure 1** and includes SH-55, the Banks-Lowman Road, Warm Lake Road, Deinhard Lane, Boydston Street, and U.S. Highway 95 (US-95) north and west of New Meadows, Idaho, and the intersections associated with these roadways. Also included in the study are the two driveway approaches from the SGLF to Warm Lake Road.

## Description of On-site Development

The SGLF will include offices for safety and environmental services, human resources, purchasing and accounting personnel, and management. These personnel will coordinate procurement and payment for the goods and services required at the Project.

MGII's main assay laboratory will be included in the SGLF. The assay laboratory will be the primary location for sample preparation, analysis and reporting for production, exploration and specialty sampling for mine operations. Process and mine rock production samples will be delivered daily to the laboratory for processing and analysis, and the results will be transmitted electronically to the mine operations and exploration personnel at the Project.

The SGLF will also have warehousing capabilities, including indoor warehouses and an outdoor laydown storage area to accumulate parts and supplies to be transported to the mine. This area will include a parking and staging area for trucks to use prior to traveling to the Project.

In addition to the parking and staging area for trucks, MGII will maintain a parking and assembly area as part of its SGLF for employees and contractors using bus or van pooling to the Project. The parking area will accommodate approximately 290 light vehicles. MGII will make busing and vans available for employee and contractor transportation from the SGLF to the Project and will mandate their use. The SGLF will have two driveways to Warm Lake Road as shown in **Figure 2**.

## Improvement Phasing and Timing

The Project development and operations, including the SGLF, are broken into three distinct phases: 1) construction, 2) operations, and 3) reclamation and closure.

This addendum assumes construction will begin in 2021 with peak construction traffic occurring during the year 2022. Most of the construction work and associated traffic will be concentrated from May to November during the construction years. MGII anticipates the SGLF will be constructed and operational by the year 2024.

Once construction is complete, MGII will conduct mine operations year-round through the year 2037. Mine operations traffic will include workforce transportation, supply haulage, and some miscellaneous traffic for support at the SGLF and the mine site.

Following operations, MGII estimates Project reclamation and closure will be complete in the year 2040. To avoid winter conditions, MGII expects that most of the closure and final reclamation traffic to the Project will occur over the warmer 7-month period from May through November and minimal traffic will be necessary for ongoing monitoring purposes.



## Principal Findings

### SH-55 Corridor

The SH-55 corridor included in the study area from Horseshoe Bend to New Meadows currently experiences delay and congestion during Weekday peak hours between Cascade and McCall. The congested area grows to include the segments between Banks and McCall on the weekends. This congestion is estimated to increase in the analysis years and include the entire stretch of SH-55 between Banks and McCall during both Weekday and Weekend peak hours by 2040 if no improvements to the highway are made.

ITD should continue to analyze potential improvements to SH-55 along the entire study area through their corridor study to address the congestion issues on the highway. This congestion occurs with or without the proposed SGLF improvements.

### Study Intersections

All of the study intersections, except for the SH-55 / US-95 intersection, show the need for capacity improvements through the analysis years with and without the proposed SGLF trips. Details of proposed improvements and how MGII can participate with ITD and local jurisdictions in those improvements are listed in the Recommendations section.

### Transportation Impacts and Need for Improvements

The improvements recommended for study area intersections are necessary based on the analyses completed to provide LOS C operations. Improvements specific to the SGLF include the proposed driveways to Warm Lake Road and study intersection improvements identified in the Recommendations section.

The improvements for the public intersections are necessary to operate adequately with or without the added MGII trips, as shown in the Background conditions analysis results. Midas's addition of trips will not cause any intersection LOS to fall below acceptable levels and Midas's contribution to intersection improvements will help address existing deficiencies and future impacts from growth.

**Table ES-1** presents the estimated MGII trips and total volume at each study intersection along SH-55 during each analysis year peak hour.

The MGII trips are a higher percentage of the total intersections volume during the construction phase and decrease as a percentage of total volume at the intersections in the future years as Background traffic grows. The highest percentages are seen at the Warm Lake Road intersection and the lowest at the Deinhard Lane intersection.



Table ES-1. MGII Trips as Percentage of Total Intersection Volume

Intersection	Volumes & Trips	2022		2030		2040	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
SH-55 / Banks-Lowman Road	Total Volume	430	639	513	777	659	1,014
	MGII Trips	64	64	49	49	35	35
	% MGII Trips	14.9%	10.0%	9.6%	6.3%	5.3%	3.5%
SH-55 / Warm Lake Road	Total Volume	395	615	452	731	561	936
	MGII Trips	97	97	75	75	54	54
	% MGII Trips	24.6%	15.8%	16.6%	10.3%	9.6%	5.8%
SH-55 / Deinhard Lane	Total Volume	1,171	1,730	1,468	2,176	1,957	2,908
	MGII Trips	33	33	26	26	19	19
	% MGII Trips	2.8%	1.9%	1.8%	1.2%	1.0%	0.7%
SH-55 / Boydston Street	Total Volume	509	775	630	966	830	1,282
	MGII Trips	33	33	26	26	19	19
	% MGII Trips	6.5%	4.3%	4.1%	2.7%	2.3%	1.5%
SH-55 / US-95	Total Volume	396	642	486	797	637	1,055
	MGII Trips	33	33	26	26	19	19
	% MGII Trips	8.3%	5.1%	5.4%	3.3%	3.0%	1.8%

## Recommendations

### SGLF Access/Circulation Plan

The proposed circulation and parking design, layout, and number of stalls is appropriate for the SGLF development and meet Valley County requirements. The access and circulation should be implemented as presented in the site plan (**Figure 2**).

Based on the findings of this study, it is recommended that the following development guidelines be followed:

1. Provide adequate sight distance for all driveways to Warm Lake Road.
2. Provide on-site parking that meets Valley County requirements, including for drive aisles between parking stalls and for fire lanes.



3. Design and construct the proposed driveways to Warm Lake Road to accommodate public emergency vehicles, including fire trucks and ambulances, following Valley County standards for driveway width.
4. Provide pedestrian access from the parking areas to the sidewalks and pathways to the SGLF buildings and warehouse that follows ADA requirements.

### Transportation System Improvements and Phasing

**Table ES-2** summarizes the existing intersection configuration and control and the improvements recommended for the study area intersections. The table also recommends a schedule for when the improvements should be provided in the short-term (2020-2022), medium-term (2023-2029), and long-term (2030-2040).

**Table ES-2. Recommended Intersection Improvements & Schedule**

Intersection	Improvement Description	Development Improvements*	2040 MGII Trips %	Schedule
SH-55 / Banks-Lowman Road	<ul style="list-style-type: none"> <li>ITD will study this intersection to identify needed improvements</li> </ul>	N/A	5.3% AM 3.5% PM	N/A
SH-55 / Warm Lake Road	<ul style="list-style-type: none"> <li>Install northbound right-turn lane, southbound left-turn lane, and widen Warm Lake Road approach for simultaneous left and right turn movements</li> <li>Install an acceleration lane for the Warm Lake Road left-turning vehicles entering SH-55</li> <li>Improve turn radii to accommodate design vehicles (WB-67)</li> </ul>	<ul style="list-style-type: none"> <li>Install northbound right-turn lane, southbound left-turn lane, and widen Warm Lake Road approach for simultaneous left and right turn movements</li> <li>Install an acceleration lane for the Warm Lake Road left-turning vehicles entering SH-55</li> <li>Improve turn radii to accommodate design vehicles (WB-67)</li> </ul>	9.6% AM 5.8% PM	Short-term
SH-55 / Deinhard Lane	<ul style="list-style-type: none"> <li>Install additional dedicated left-turn lanes on Deinhard Lane and dedicated right-turn lanes on SH-55 so each approach has a left-turn, through, and right-turn lane</li> <li>Improve curb radii in all for corners of the intersection</li> <li>Update signal timing</li> </ul>	<ul style="list-style-type: none"> <li>Widen the Deinhard Lane west leg to provide separate left, through and right turn lanes with a larger turn radius or a free right turn condition to access the SH-55 south leg</li> </ul>	1.0% AM 0.7% PM	Short-term
SH-55 / Boydston Street	<ul style="list-style-type: none"> <li>Install westbound left-turn lane and provide infrastructure for future signal control</li> <li>Improve turn radii to accommodate design vehicles (WB-67)</li> </ul>	<ul style="list-style-type: none"> <li>Install westbound left-turn lane and provide infrastructure for future signal control</li> <li>Improve turn radii to accommodate design vehicles (WB-67)</li> </ul>	2.3% AM 1.5% PM	Medium-term
SH-55 / US-95	<ul style="list-style-type: none"> <li>No improvements recommended</li> </ul>	<ul style="list-style-type: none"> <li>No improvements recommended</li> </ul>	3.0% AM 1.8% PM	N/A

\* Improvements per cooperative agreement between affected transportation agencies



## Improvement Implementation & Future Analysis

As MGII develops the SGLF, they have worked with ITD, the City of McCall, Valley County, and others to identify partnership opportunities to provide recommended improvements based on MGII's trips traveling through the study roadways and intersections. These improvements will be scheduled for design and installation with these agencies and jurisdictions.

ITD should monitor traffic volumes at the study intersections. If unforeseen deficiencies are identified and/or suspected, they should be analyzed and mitigated in coordination with the cities and counties.



# 1 Introduction

Midas Gold Idaho, Inc. (MGII) proposes to restore the historic Stibnite, Idaho, mine site before, during, and after developing a modern mining operation that produces gold, silver, and the strategic mineral, antimony. MGII's plan for restoration and operation is to conduct site cleanup, mining, ore processing, and reclamation work at its Stibnite Gold Project (Project) in central Idaho.

In an effort to reduce traffic to and from the Project and provide more regular weekday jobs within the local community, MGII will locate off-site administrative offices for the operation in Valley County with easy access to State Highway 55 (SH-55) from Warm Lake Road. These facilities will be collectively known as the Stibnite Gold Logistics Facilities (SGLF) and will be located approximately 8.5 miles east of SH-55 on Warm Lake Road as shown in **Figure 1**. All figures are found in **Appendix A**.

MGII is committed to working with ITD, Valley County, and local communities to improve the state and local transportation system to mitigate impacts associated with their operations. This transportation impact study (TIS) addendum is intended to help achieve that goal.

## 1.1 Purpose of Report and Study Objectives

The purpose of the original TIS completed in 2017 was to evaluate transportation issues and needed improvements to maintain adequate level of service (LOS) and safety on the state and local transportation network serving the SGLF. The original TIS objectives include the following:

1. Analyzing all surface transportation modes that will be affected by the proposed SGLF, including light and heavy motor vehicles, pedestrians, bicycles, and public transportation services.
2. Determining whether transportation improvements to the study area roadways and intersections are necessary to accommodate traffic volumes generated by the SGLF.
3. Evaluating safety issues and determining appropriate mitigation.
4. Coordinating improvements with ITD District 3, Valley County, and local city transportation plans and projects.

HDR Engineering, Inc. (HDR) prepared the original TIS in accordance with the ITD Board Policy 4005, which refers to Idaho Administrative Procedures Act (IDAPA) section 39.03.42 – Rules Governing Highway Right-of-Way Encroachments on State Rights-of-Way. ITD requested MGII develop the original TIS to identify issues and potential improvements for the study intersections and roadways. HDR met with ITD District 3 staff as well as City of McCall staff to discuss the proposed improvements and determine the scope of the transportation analysis. Meeting notes are included in the original TIS.

The purpose of this addendum to the original TIS is to account for potential employee traffic accessing the SGLF in order to use MGII provided bus transport to the Stibnite Gold Project in addition to the employees and deliveries traveling directly to the Stibnite Gold Project. This includes updating the trips generated by the SGLF and the associated analyses to verify the proposed improvements will adequately serve the proposed travel demand. Trips were consolidated from a seven day week to the five day work week to avoid trips on the weekend based on discussion with

MGII staff. The following addendum updates specific sections from the original TIS report. Any TIS report sections not included in this addendum are assumed to be consistent with no significant changes.

This study is not a comprehensive evaluation of the SH-55 corridor, but investigates specific intersections and segments along that highway to identify improvements needed at key locations.

## 2 Proposed Development

### 2.3 Description of On-site Development

The SGLF will include offices for safety and environmental services, human resources, purchasing and accounting personnel, and management. These personnel will coordinate procurement and payment for the goods and services required at the Project.

MGII's main assay laboratory will be included in the SGLF. The assay laboratory will be the primary location for sample preparation, analysis and reporting for production, exploration and specialty sampling for mine operations. Process and mine rock production samples will be delivered daily to the laboratory for processing and analysis, and the results will be transmitted electronically to the mine operations and exploration personnel at the Project.

The SGLF will also have warehousing capabilities, including indoor warehouses and an outdoor laydown storage area to accumulate parts and supplies to be transported to the mine. This area will include a parking and staging area for trucks to use prior to traveling to the Project.

In addition to the parking and staging area for trucks, MGII will maintain a parking and assembly area as part of its SGLF for employees and contractors using bus or van pooling to the Project. The parking area will accommodate approximately 290 light vehicles. MGII will make busing and vans available for employee and contractor transportation from the SGLF to the Project and will mandate their use. The SGLF will have two driveways to Warm Lake Road as shown in **Figure 2**.

#### 2.3.1 Improvement Phasing and Timing

The Project development and operations, including the SGLF, are broken into three distinct phases: 1) construction, 2) operations, and 3) reclamation and closure.

This addendum assumes construction will begin in 2021 with peak construction traffic occurring during the year 2022. Most of the construction work and associated traffic will be concentrated from May to November during the construction years. MGII anticipates the SGLF will be constructed and operational by the year 2024.

Once construction is complete, MGII will conduct mine operations year-round through the year 2037. Mine operations traffic will include workforce transportation, supply haulage, and some miscellaneous traffic for support at the SGLF and the mine site.

Following operations, MGII estimates Project reclamation and closure will be complete in the year 2040. To avoid winter conditions, MGII expects that most of the closure and final reclamation traffic to the Project will occur over the warmer 7-month period from May through November and minimal traffic will be necessary for ongoing monitoring purposes.





## 3 Background Conditions

### 3.2 SGLF Accessibility

#### 3.2.2 Traffic Volumes and Conditions

L2 Data Collection (L2) collected the 2017 AM and PM peak hour turning movement volumes at each study intersection as well as daily traffic volumes on the study roadway segments. These are shown graphically in **Figures 3** and **4** in the original TIS. L2 collected the weekday traffic volumes at the intersections and roadways on June 14, 2017, during the AM and PM peak hours for the roadways. These are presented in **Figure 3**. L2 collected weekend traffic volumes during the historic peak hours, Friday evening for traffic heading north and Sunday afternoon for traffic heading south, on Friday June 16, 2017, and Sunday June 18, 2017. These are presented in **Figure 4**. Traffic count data is presented in **Appendix C** in the original TIS.

In addition to the data L2 collected, the original TIS examines historic traffic data collected from the following ITD automatic traffic recorders (ATRs):

- # 182 on SH-55 north of Banks-Lowman Road
- # 183 on Banks-Lowman Road east of SH-55
- # 184 on SH-55 south of Banks-Lowman Road
- # 43 on SH-55 near Donnelly, ID
- # 243 on SH-55 between Donnelly, ID and McCall, ID
- # 244 on SH-55 east of New Meadows, ID

Traffic volumes are highest in the summer and winter months, with volumes in the spring and fall being lower. Average daily traffic (ADT) is the average 24-hour traffic volume at a given location for some period of time less than a year (e.g. 6 months or a season, a month, a week or some days). The ADT for a given day, week, or month can be very different on the same segment of SH-55 and other roads serving seasonal attractions. Annual average daily traffic (AADT) is the total volume of vehicle traffic on a roadway for a year divided by 365 days.

The ATR # 43 2019 AADT is reported at 4,562 vehicles per day on SH-55 north of Warm Lake Road. The counts conducted in June 2017 found weekday counts of 5,494 vehicles per day and weekend counts of 9,183 vehicles per day. These were annualized to estimate average weekday and weekend volumes for 2017 of 4,266 vehicles per day and 7,131 vehicles per day, rounded to 4,300 and 7,100, respectively. The 2017 annualized volumes were then increased for analysis years using the annual growth rate described in Section 4.2 to estimate future weekday and weekend average volumes, which are recorded on the appropriate figures for each analysis year in **Appendix A**. Increasing the annualized 2017 weekday volume to 2019 volumes using the 3% annual growth rate assumed for analysis purposes estimates 2019 weekday volumes at 4,526 vehicles per day, very similar to the recorded AADT from ATR # 43 of 4,562.

This exercise was completed to see how the forecast travel demand estimated using the 3% annual growth rate compared with recorded volumes along SH-55. The results are reasonably close and provide confidence that the forecasted travel demand is representative of future traffic growth. If the background traffic on SH-55 and other study roadways increases at a higher rate than the assumed 3%, the MGII generated volumes will be a lower percentage of the total.



## 4 Projected Traffic

### 4.1.1 Trip Generation

Using MGII's *Plan of Restoration and Operations* (2016), this TIS addendum calculates forecasted new vehicle trips to and from the SGLF. The Project will create new traffic and all of it will travel on SH-55 to Warm Lake Road. Almost all of the traffic will travel to the SGLF and then offload passengers and materials to be shipped to the Project. A small percentage of trips will travel directly to the Project. MGII has focused on minimizing access road traffic and maximizing road safety by doing the following:

- Including work functions at the SGLF, including a laboratory, warehouse, offices, employee parking, and equipment and materials laydown areas.
- Consolidating freight at the SGLF to reduce truck traffic.
- Scheduling materials and personnel transport during the 5-day workweek to avoid including SGLF traffic on SH-55 during the weekends.
- Using bus transport for shift changes to transport employees from the mine to the SGLF and back on weekdays.
- Using radio-controlled and GPS-tracked trucks and busses where possible.
- Implementing SGLF check-in processes that will support hours of road use and safety, including chains and appropriate tires on lighter vehicles in the winter.

Employees will be prevented from driving their own vehicles to the Project. MGII will maintain a parking and assembly area at the SGLF for employees and contractors using bus or van pooling to the mine. MGII will also provide a parking lot near the Project main guard shack for private vehicles that may arrive due to vendors or other unexpected visitors. The SGLF will have a large parking lot to accommodate employee parking so they can take buses and shuttles to the site, which will have employee housing on-site. Workday hours will be from 6 AM to 8 PM, which puts many of these trips on study roadways during off-peak hours, reducing trips during the peak commuting hours. Daily traffic to the mine will be reduced by using buses and vans to transport employees and contractors. Use of buses/vans and staggered work cycles will also allow for less and dispersed traffic on the access roads into the Project, reducing the potential for accidents and greenhouse gas emissions.

MGII's *Plan of Restoration and Operations* (2016) includes data estimating the total number of vehicles on an AADT basis accessing the SGLF during the construction phase, operations phase, and closure and reclamation phase. Based on these volumes and refinements in discussion with MGII staff to consolidate those trips from a seven day week to the five day work week and avoid trips on the weekend, trip generation for the SGLF for each phase is shown in **Table 1**. This table in the original TIS only included the trips traveling directly to the Stibnite Gold Project and did not include the employees driving to the SGLF to load onto MGII buses to shuttle to the Stibnite Gold Project as well as those employees that will work at the SGLF. **Table 1** includes all trips accessing the SGLF and the Stibnite Gold Project and this addendum uses this updated information for specific analyses of these trips.

These estimated trips represent the peak volumes for each phase and will represent the highest loadings on the transportation network. MGII is committed to minimizing impacts to the existing



transportation network and its users and does not anticipate having trips run during the weekend, especially during peak travel times for recreational traffic. It is estimated that 33% of the proposed daily trips will occur in each peak hour on weekdays for analysis purposes. This is a conservative estimate as MGII’s goal is to have the majority of trips occur outside of the weekday AM and PM peak hours. It is anticipated that many employees that will work at the SGLF will live in Cascade or other close locations and so are expected to travel shorter distances on area roadways. These employees will generally not be working on weekends, when much of the area’s congestion occurs from weekend visitors and recreationists.

**Table 1. Trips Generation: Trips to and from the SGLF on SH-55**

Phase (Analysis Year)	Trip Volumes							
	Light Vehicles			Heavy Vehicles			Weekday Daily Distribution on SH-55	
	Weekday Daily Trips	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday Daily Trips	Weekday AM Peak Hour	Weekday PM Peak Hour	North of Warm Lake Road	South of Warm Lake Road
Construction (2022)*	234	77	77	44	15	15	93	185
Operations (2030)	181	60	60	34	11	11	72	143
Closure and Reclamation (2040)*	128	42	42	24	8	8	51	101

Source: *Plan of Restoration and Operations*, MGII 2016

\*Trips will be concentrated between the months of May and November

#### 4.1.2 Trip Distribution and Assignment

The estimated trips were distributed to the transportation network based on existing movements. This study assumes that one-third of the trips to and from the SGLF will travel on SH-55 north of Warm Lake Road and two-thirds will come from the south based on previous work and estimated origins of material deliveries and personnel. The last two columns of **Table 1** show the estimated total daily trips on SH-55 north and south of Warm Lake Road for light and heavy vehicles that will access the SGLF. All trips from the north are assumed to travel on Deinhard Lane and Boydston Street rather than following SH-55 through downtown McCall.

#### 4.1.3 Modal Split

All generated trips follow the MGII estimates for light and heavy vehicles based on the estimates listed in **Table 1** above and in the *Plan of Restoration and Operations*.

## 4.2 Background Travel Demand Projections

### 4.2.1 Method of Projection

There is no metropolitan planning organization (MPO) in the study area. HDR developed forecasts for the analysis years of 2022, 2030, and 2040 using existing traffic counts and historical growth rates determined from the ATR data along SH-55. As described previously, ATR traffic volumes for the year 2020 are exceeding the levels that were last reported before the Great Recession. Volumes dropped off between 2007 and 2012 and then began increasing again. During 2020 with the current COVID-19 pandemic, volumes dropped in the spring compared to previous year volumes but have surged much higher than normal with many people seeking outdoor recreation and space.

The average growth rate for the last 5 years near Banks is just over 3 percent, between Cascade and McCall is just over 4 percent, and just over 3 percent between McCall and New Meadows. These rates are higher than the longer term growth in traffic calculated by HDR from ATR # 43 data. This ATR has recorded data since 1990 and annual growth rates over the last 20 years and almost 40 years have averaged between 1.5 percent to 2 percent with some peaks and valleys, such as the example of before, during, and after the Great Recession.

After reviewing the longer term historical growth rates beyond the previous 5 years, and comparing them to McCall's estimated growth rate in their *Master Transportation Plan*, HDR applied an annual growth rate of 3 percent to forecast 2022, 2030, and 2040 Background traffic volumes. This is consistent with McCall's plan and with historic trends. The growth rate is a conservative forecasting method that accounts for future unknown development in the study area. If the growth in traffic along SH-55 occurs at a faster pace than the estimated growth rate, traffic volumes will increase sooner than this TIS addendum anticipates. The improvements recommended in this document are estimated to serve the travel demand for the year 2040 and so should serve well if background volumes increase more rapidly. In addition, if the background traffic volumes increase more rapidly, MGII vehicles will decrease as a percentage of the total traffic using the roadways and intersections.

The 2022, 2030, and 2040 Background traffic volumes are shown in **Figures 5** through **10**. Background Weekday traffic volumes for each analysis year are presented in **Figures 5, 7, and 9**. Background Weekend traffic volumes for each analysis year are presented in **Figures 6, 8, and 10**.

### 4.2.2 Pass-by and Shared Trips

The SGLF is a new facility and all of the generated vehicle trips are expected to originate or terminate there. No pass-by or shared trips are assumed, which provides a conservative estimate of the Build impacts on the transportation system.

## 4.3 Analysis Year Build Traffic

Estimated Background traffic volumes for the years 2022, 2030, and 2040 are added to the trips generated by the SGLF for the appropriate phase to provide Build condition traffic volumes shown in **Figures 11** through **16**. These forecasts are for Weekday conditions when the SGLF is open and operating.



## 5 Transportation Analysis

### 5.1 SGLF Access

SH-55 provides arterial street access and Warm Lake Road provides local street access to the SGLF as previously described.

#### 5.1.1 Circulation and Parking

MGII will maintain a parking and assembly area as part of its SGLF for employees and contractors using bus or van pooling to the Project. The parking area will accommodate approximately 290 light vehicles. MGII will make busing and vans available for employee and contractor transportation to the Project and will mandate their use.

There are two proposed driveways to the SGLF as depicted in **Figure 2**. One driveway will serve heavy vehicles accessing the truck staging area, warehouse, the laydown yard and the other will access the parking and bus unloading areas for mine personnel and the office building. Each driveway will have one lane for entering the SGLF and one shared lane for left- and right-turn movements to exit the SGLF.

### 5.2 Capacity and Level of Service

Capacity is defined as the maximum rate at which vehicles can pass through a given point in an hour under prevailing conditions. *Highway Capacity Manual 2010* (HCM) procedures measure intersection capacity by evaluating the critical lane groups that require the adequate gaps in cross-traffic for stop-controlled and roundabout intersections and the most amount of green time for signalized intersections. A volume to capacity (v/c) ratio less than 0.85 generally indicates that adequate capacity is available and vehicles are not expected to experience significant queues and delays. As the v/c ratio approaches 1.0, traffic flow may become unstable and significant delay and queuing conditions may occur. Once the demand exceeds capacity, defined as a v/c ratio greater than 1.0, traffic flow is unstable and excessive delay and queuing is expected.

Observations of traffic volumes provide an understanding of the general nature of traffic, but are insufficient to indicate either the ability of the network to carry additional traffic or the quality of service provided by the street system. For this reason, the concept of level of service (LOS) was developed to correlate numerical traffic operational data to subjective descriptions of traffic performance at intersections. Each movement of traffic has delay associated with it, and therefore a correlating LOS. LOS is defined as the system of six designated ranges from “A” (best) to “F” (worst) used to evaluate performance.

To identify capacity deficiencies and street improvement needs, ITD has identified a LOS threshold of LOS C for rural mountainous and urban/suburban areas. This study identifies improvements necessary to achieve LOS C at the intersections in the forecast years.

**Table 2** presents the HCM LOS thresholds at stop-controlled and signalized intersections. HDR performed an operational analysis following HCM procedures using Trafficware’s Synchro software (version 10.3.151) to determine v/c ratios and LOS. For roundabout analysis, HDR used SIDRA 8.0 software for the analysis because it provides a more accurate representation of roundabout operations than Synchro. According to the U.S. Transportation Research Board document,

"Roundabout Practices", SIDRA is the most widely-used software tool in the United States for roundabout capacity and performance analysis. The HCM acknowledges the need to use alternative models in view of various shortcomings it lists about the HCM roundabout capacity model. SIDRA is one of the alternative tools referred to in the HCM.

The results of the capacity analysis for the various years and conditions are presented showing the critical movements at stop-controlled intersections, specifically the left turn movements, which generally experience the most delay as they have the most conflict. A determination for improvement recommendations for stop-controlled intersections are based on these left turn movement results. If a lane is shared, the results for all movements from that lane are presented. Overall intersection and individual movement results are presented for signalized intersections. Each approach result is presented for roundabouts.

**Table 2. LOS Thresholds for Motor Vehicles at Intersections**

LOS	Stop-controlled Intersection Control Delay (s/veh)	Signalized Intersection Control Delay (s/veh)
A	<= 10	<= 10
B	10-15	10-20
C	15-25	20-35
D	25-35	35-55
E	35-50	55-80
F	>50	>80

HDR estimated the LOS for the roadway segments adjacent to the study intersections following HCM procedures for Class I and Class II two-lane highways during the AM and PM peak hours. SH-55 and US-95 are Class I highways because they are primary connectors of major traffic generators and intercity routes that primarily allow motorists to travel at high speeds. Banks-Lowman Road, Warm Lake Road, Deinhard Lane, and Boydston Street are Class II highways because they are scenic or recreational routes passing through rugged terrain or serve relatively short trips and provide access to the Class I facilities. **Table 3** presents the LOS criteria for Class I and Class II highways.

**Table 3. LOS Thresholds for Motor Vehicles on Class I and Class II Highways**

LOS	Class I Highways	Class II Highways
	PTSF	PTSF
A	≤35	≤40
B	>35–50	>40–55
C	>50–65	>55–70
D	>65–80	>70–85
E	>80	>85



LOS is quantified based on percent-time spent following (PTSF), or the time a motorist on the analyzed roadway will spend following another vehicle on the highway. The time spent following increases as traffic volume and congestion increases. For example, if the time spent following on a Class II highway is more than 40 percent, the LOS will fall from A to B and so forth. The results of the roadway analyses for each analysis year did not change from the original TIS and so details are not included in this addendum, just a summary of those segments that fall below LOS C.

## 5.2.2 Background Conditions

### 5.2.2.1 2022 BACKGROUND CONDITIONS

HDR analyzed study area intersections under 2022 Background conditions using the forecasted traffic volumes shown in **Figures 5** and **6**. The results of the 2022 Background conditions intersection analysis are shown in **Table 6** and **Table 7**. Printouts of the 2022 background analyses are presented in **Appendix F**.

Most of the intersections are estimated to operate at acceptable LOS given 2022 Background conditions. The westbound left-turn movement at the SH-55 and Deinhard Lane signalized intersection operates at LOS F in Weekday PM peak hour and Weekend Friday evening peak hour. The westbound left-turn movement at the SH-55 / Banks-Lowman Road intersection fail during the Weekend peak hours.

All of the roadway segments are estimated to operate at acceptable LOS C or better given 2022 Background Weekday conditions. During Weekend conditions, the SH-55 segments from Banks to McCall are estimated to operate at LOS D and E as vehicles are following each other 70 to 90 percent of the time. Details of the intersection and roadway 2022 background analyses are presented in **Appendix F**.



**Table 6. 2022 Background Weekday Conditions Intersection Analysis Results**

Intersection	Movement	AM Peak Hour			PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Banks- Lowman Road	EBL	A	0.01	8.7	B	0.04	11.0
	WBL	B	0.10	11.1	B	0.18	13.8
	NBL	A	0.01	7.4	A	0.01	7.7
	SBL	A	0.01	7.7	A	0.01	7.9
SH-55 / Warm Lake Road	WBL/R	B	0.05	10.3	B	0.07	12.5
	SBL	A	0.01	7.5	A	0.01	8.0
SH-55 / Deinhard Lane	<b>Overall Signal</b>	<b>B</b>		<b>17.7</b>	<b>D</b>		<b>47.5</b>
	EBL/T	B	0.65	18.0	E	0.94	57.0
	EBR	A	0.12	9.4	B	0.27	11.2
	WBL/T	C	0.76	32.1	F	1.34	100+
	WBR	A	0.16	9.6	B	0.28	11.2
	NBL	B	0.27	12.0	B	0.36	12.7
	NBT/R	B	0.79	19.7	C	0.81	22.1
	SBL	B	0.20	12.9	B	0.36	12.7
	SBT/R	B	0.47	16.0	C	0.81	22.2
SH-55 / Boydston Street	WBL	A	0.04	7.9	A	0.04	8.0
	NBL	B	0.10	12.1	C	0.30	17.1
	NBR	A	0.08	9.7	A	0.08	9.9
SH-55 / US-95	EBL/T/R	A	0.22	9.4	B	0.30	10.3
	WBL/T/R	A	0.13	8.0	B	0.37	10.1
	NBL/T/R	A	0.03	7.8	A	0.02	8.7
	SBL/T	A	0.10	9.0	B	0.15	10.1



**Table 7. 2022 Background Weekend Conditions Intersection Analysis Results**

Intersection	Movement	Friday Evening Peak Hour			Sunday Afternoon Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Banks-Lowman Road	EBL	D	0.13	30.3	C	0.20	21.9
	WBL	F	0.66	76.2	F	3.11	100+
	NBL	A	0.01	7.7	A	0.02	9.5
	SBL	B	0.15	11.2	A	0.01	8.6
SH-55 / Warm Lake Road	WBL/R	C	0.12	17.2	D	0.34	25.1
	SBL	A	0.01	9.0	A	0.01	8.2
SH-55 / Deinhard Lane	<b>Overall Signal</b>	<b>D</b>		<b>41.5</b>	<b>C</b>		<b>24.0</b>
	EBL/T	C	0.75	27.7	B	0.65	19.9
	EBR	B	0.21	11.8	B	0.24	11.3
	WBL/T	F	1.27	100+	E	0.90	57.8
	WBR	B	0.20	11.7	B	0.17	10.9
	NBL	B	0.32	11.8	B	0.28	12.4
	NBT/R	C	0.87	27.7	C	0.84	24.1
	SBL	B	0.24	12.8	B	0.23	12.5
	SBT/R	B	0.67	17.8	C	0.84	24.1
SH-55 / Boydston Street	WBL	A	0.04	7.8	A	0.04	8.1
	NBL	B	0.21	14.3	C	0.19	16.2
	NBR	A	0.08	9.7	B	0.07	10.3
SH-55 / US-95	EBL/T/R	A	0.29	9.9	A	0.25	9.7
	WBL/T/R	A	0.33	9.7	A	0.33	9.7
	NBL/T/R	A	0.02	8.6	A	0.03	8.7
	SBL/T	B	0.16	10.1	B	0.25	10.8

**5.2.2.2 2030 BACKGROUND CONDITIONS**

There are no changes to the 2030 Background conditions analysis from the original TIS. In summary, most of the intersections are estimated to operate at acceptable LOS given 2030 Background conditions. The eastbound and westbound left-turn movements at SH-55 and Deinhard Lane operate at LOS F in Weekday PM peak hours and overall the intersection operates at LOS F due to the delay.

The eastbound and westbound left-turn movements and the northbound and southbound right-turn movements at SH-55 and Deinhard Lane fail under Weekend conditions and the amount of delay on Deinhard Lane during the Weekend PM peak hour conditions causes the entire intersection to operate at LOS F. The eastbound and westbound left-turn movements at the SH-55 / Banks-Lowman Road intersection fail during the Weekend peak hours.



All of the roadway segments are estimated to operate at acceptable LOS C or better given 2030 Weekday Background conditions, except for the SH-55 segments south and west of McCall and around Banks, which operate at LOS D. The analysis for these segments shows vehicles following each other 60 to 70 percent of the time. During the Weekend conditions, the SH-55 segments from Banks to McCall are estimated to operate at LOS D and E as vehicles are following each other 70 to 90 percent of the time. Printouts of the full 2030 Background intersection and roadway analyses are presented in **Appendix G**.

#### 5.2.2.3 2040 BACKGROUND CONDITIONS

There are no changes to the 2040 Background conditions analysis from the original TIS. In summary, most of the intersections are estimated to operate at acceptable LOS given 2040 Background conditions. The eastbound and westbound left-turn movements and northbound and southbound right-turn movements at SH-55 and Deinhard Lane operate at LOS F in Weekday AM and PM peak hours with the overall intersection operating at LOS E in the AM peak hour and LOS F in the PM peak hour. The northbound left-turn movement at the SH-55 / Boydston Street intersection also fails in the Weekday PM peak hour.

The eastbound and westbound left-turn movements and the northbound and southbound right-turn movements at SH-55 and Deinhard Lane fail under Weekend conditions, causing the entire intersection to fail during both the AM and PM peak hours. The eastbound and westbound left-turn movements at the SH-55 / Banks-Lowman Road intersection fail during the Weekend peak hours. The westbound left turn at the SH-55 / Warm Lake Road intersection and the northbound left-turn movement at the SH-55 / Boydston Street intersection also fail in the Weekend peak hours.

All of the roadway segments are estimated to operate at acceptable LOS C or better given 2040 Weekday Background conditions, except for the SH-55 segments from Banks to McCall that show vehicles following each other 60 to 70 percent of the time and operate at LOS D. During Weekend conditions, the SH-55 segments from Banks to McCall and west of McCall are estimated to operate at LOS D and E as vehicles are following each other 70 to 90 percent of the time. Printouts of the full 2040 background intersection and roadway analyses are presented in **Appendix H**.

### 5.2.3 Build Conditions

Build conditions include the forecast travel demand with the SGLF constructed and operational at its location on Warm Lake Road. The following analysis identifies how the study intersections are estimated to operate with MGII traffic traveling to and from the SGLF during each phase. Weekend conditions are not analyzed under Build conditions assuming that MGII will not have vehicles traveling on SH-55 during the weekend.

#### 5.2.3.1 2022 BUILD CONDITIONS

HDR analyzed study area intersections under 2022 Build conditions, when construction on the Project is estimated to be at its peak, using the forecasted traffic volumes shown in **Figures 11 and 12**. The results of the 2022 Build conditions intersection analysis are shown in **Table 12** for Weekday conditions.

The intersections are estimated to operate at the same LOS with Build conditions as the 2022 Background Weekday conditions. The westbound left-turn movement at the SH-55 and Deinhard Lane signalized intersection operates at LOS F in the PM peak hour. The capacity analysis results for the driveways to the SGLF are not shown in the table as they all are estimated to operate at



LOS A or LOS B. All of the roadway segments are estimated to operate at acceptable LOS C given 2022 Build Weekday conditions. Details of the intersection and roadway 2022 Build analyses are presented in **Appendix I**.

**Table 12. 2022 Build Weekday Conditions Intersection Analysis Results**

Intersection	Movement	AM Peak Hour			PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Banks-Lowman Road	EBL	A	0.01	8.7	B	0.04	11.6
	WBL	B	0.11	11.9	B	0.20	15.0
	NBL	A	0.01	7.4	A	0.01	7.8
	SBL	A	0.01	7.9	A	0.01	7.9
SH-55 / Warm Lake Road	WBL/R	B	0.07	11.2	B	0.24	14.0
	SBL	A	0.03	7.9	A	0.01	8.1
SH-55 / Deinhard Lane	<b>Overall Signal</b>	<b>B</b>		<b>17.5</b>	<b>D</b>		<b>48.4</b>
	EBL/T	B	0.65	18.0	E	0.95	60.9
	EBR	A	0.17	9.7	B	0.29	11.6
	WBL/T	C	0.76	32.1	F	1.36	100+
	WBR	A	0.16	9.6	B	0.28	11.5
	NBL	B	0.28	12.0	B	0.44	13.1
	NBT/R	B	0.79	19.7	C	0.79	21.2
	SBL	B	0.20	12.9	B	0.35	12.8
	SBT/R	B	0.47	16.1	C	0.81	22.9
SH-55 / Boydston Street	WBL	A	0.04	7.9	A	0.04	8.0
	NBL	B	0.12	12.4	C	0.38	18.7
	NBR	A	0.08	9.8	B	0.08	10.0
SH-55 / US-95	EBL/T/R	A	0.23	9.6	B	0.30	10.3
	WBL/T/R	A	0.13	8.1	B	0.38	10.2
	NBL/T/R	A	0.03	7.9	A	0.02	8.7
	SBL/T	A	0.15	9.5	B	0.16	10.2

**5.2.3.2 2030 BUILD CONDITIONS**

HDR analyzed study area intersections under 2030 Build conditions, when operations at the Project are estimated to be at their peak, using the forecasted traffic volumes shown in **Figures 13 and 14**. The results of the 2030 Build conditions intersection analysis are shown in **Table 13** for Weekday conditions.

Most of the intersections are estimated to operate at the same LOS with Build conditions as the 2030 Background Weekday conditions. The eastbound and westbound left-turn movements at

SH-55 and Deinhard Lane operate at LOS F in the AM and PM peak hours. The westbound left-turn movement at the Warm Lake Road intersection operates at LOS C in the PM peak hour with the SGLF trips included, degrading from LOS B estimated with 2030 Background conditions. The capacity analysis results for the driveways to the SGLF are not shown in the table as they all are estimated to operate at LOS A or LOS B.

**Table 13. 2030 Build Weekday Conditions Intersection Analysis Results**

Intersection	Movement	AM Peak Hour			PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Banks-Lowman Road	EBL	A	0.01	8.8	B	0.06	12.6
	WBL	B	0.15	13.0	C	0.31	18.7
	NBL	A	0.01	7.4	A	0.01	8.0
	SBL	A	0.01	8.0	A	0.02	8.1
SH-55 / Warm Lake Road	WBL/R	B	0.08	11.6	C	0.27	16.0
	SBL	A	0.03	7.9	A	0.01	8.3
SH-55 / Deinhard Lane	<b>Overall Signal</b>	<b>C</b>		<b>30.7</b>	<b>F</b>		<b>100+</b>
	EBL/T	D	0.90	48.0	F	1.40	100+
	EBR	B	0.21	11.+	B	0.37	14.4
	WBL/T	F	1.03	97.6	F	2.14	100+
	WBR	B	0.22	11.6	B	0.36	14.3
	NBL	B	0.34	11.6	B	0.57	16.1
	NBT/R	C	0.86	26.1	C	0.87	30.1
	SBL	B	0.26	13.0	B	0.49	14.8
	SBT/R	B	0.50	15.9	C	0.89	32.0
SH-55 / Boydston Street	WBL	A	0.06	8.1	A	0.06	8.2
	NBL	B	0.17	14.3	D	0.57	29.4
	NBR	B	0.11	10.3	B	0.11	10.6
SH-55 / US-95	EBL/T/R	B	0.29	10.3	B	0.40	12.1
	WBL/T/R	A	0.18	8.6	B	0.50	12.2
	NBL/T/R	A	0.04	8.2	A	0.03	9.3
	SBL/T	A	0.17	9.9	B	0.21	11.1

All of the roadway segments are estimated to operate at acceptable LOS C or better given 2030 Weekday Build conditions, except for the SH-55 segments south of McCall and around Banks that show vehicles following each other 60 to 70 percent of the time and operate at LOS D. Printouts of the full 2030 Build analyses are presented in **Appendix J**.



5.2.3.3 2040 BUILD CONDITIONS

HDR analyzed study area intersections under 2040 Build conditions, when reclamation and closeout activities at the Project are estimated to be at their peak, using the forecasted traffic volumes shown in **Figures 15** and **16**. The results of the 2040 Build conditions analysis are shown in **Table 14** for Weekday conditions.

Table 14. 2040 Build Weekday Conditions Intersection Analysis Results

Intersection	Movement	AM Peak Hour			PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Banks-Lowman Road	EBL	A	0.01	9.0	C	0.10	15.2
	WBL	C	0.25	15.9	D	0.57	34.7
	NBL	A	0.01	7.5	A	0.01	8.2
	SBL	A	0.01	8.2	A	0.02	8.4
SH-55 / Warm Lake Road	WBL/R	B	0.12	12.9	C	0.35	21.6
	SBL	A	0.02	8.0	A	0.02	8.8
SH-55 / Deinhard Lane	<b>Overall Signal</b>	<b>E</b>		<b>78.9</b>	<b>F</b>		<b>100+</b>
	EBL/T	F	1.29	100+	F	2.49	100+
	EBR	B	0.27	13.5	B	0.54	17.0
	WBL/T	F	1.47	100+	F	4.17	100+
	WBR	B	0.31	13.7	B	0.50	16.5
	NBL	B	0.47	12.1	C	0.81	31.0
	NBT/R	F	1.05	67.2	F	1.10	85.1
	SBL	B	0.42	14.4	C	0.82	32.1
	SBT/R	B	0.61	17.3	F	1.11	100+
SH-55 / Boydston Street	WBL	A	0.08	8.5	A	0.09	8.7
	NBL	C	0.29	19.1	F	1.04	100+
	NBR	B	0.16	11.3	B	0.17	12.0
SH-55 / US-95	EBL/T/R	B	0.41	12.1	C	0.60	17.5
	WBL/T/R	A	0.24	9.4	C	0.70	20.0
	NBL/T/R	A	0.05	8.7	B	0.05	10.5
	SBL/T	B	0.21	10.7	B	0.33	13.6

Most of the intersections are estimated to operate at the same LOS with Build conditions as the 2040 Background Weekday conditions. The eastbound and westbound left-turn movements and northbound and southbound through/right-turn movements at the SH-55 and Deinhard Lane signalized intersection are estimated to operate at LOS F in Weekday AM and PM peak hours. The northbound left-turn movement at the SH-55 / Boydston Street intersection is also estimated to fail in

the Weekday PM peak hour with excessive delay. The capacity analysis results for the driveways to the SGLF are not shown in the table as they all are estimated to operate at LOS A or LOS B.

All of the roadway segments are estimated to operate at acceptable LOS C or better given 2040 Weekday Build conditions, except for the SH-55 segments from Banks to McCall and west of McCall that show vehicles following each other 70 to 90 percent of the time and operate at LOS D. Printouts of the full 2040 Build analyses are presented in **Appendix K**.

## 6 Improvement Analysis

### 6.2 Improvements to Accommodate Background Traffic

#### 6.2.1 2022 Background Conditions

##### 6.2.1.1 WEEKDAY

The capacity analyses of 2022 Background conditions indicate that all of the study roadways and intersections meet the recommended LOS thresholds and operate adequately, except the SH-55 and Deinhard Lane signalized intersection, which fails in Weekday PM peak. Improvements to address the failing eastbound and westbound left-turn movements include adding eastbound and westbound dedicated left-turn and right-turn lanes to the intersection and updating the signal timing to allow for protected/permissive flashing yellow arrow phasing for these movements. Dedicated northbound and southbound right turn lanes were included in the analysis as they are estimated to be needed in future phases.

HDR performed a capacity analysis for the SH-55 / Deinhard Lane intersection for the Weekday PM and Weekend Friday evening hours as they are time periods the intersection fails. The results are shown in **Table 18**. This analysis shows that with the given 2022 Background conditions, the intersection will operate at an acceptable LOS with the added left-turn lanes and updated signal timing.

The SH-55 intersections with Banks-Lowman Road (northbound and southbound left-turn movements), Warm Lake Road (southbound left-turn movement) and Boydston Street (westbound left-turn movement) are recommended to have left-turn lanes added to the intersections based on guidance identified in the American Association of State Highway Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets, 7th Edition* (2018) as identified in the *ITD Traffic Manual: Idaho Supplementary Guidance to the MUTCD* (April 2020) to determine the need for left-turn lanes on uncontrolled highways. The northbound right-turn movements at the Banks-Lowman Road and Warm Lake Road and the eastbound right-turn movements at Boydston Street meet the right-turn lane warrant identified in Figure 3B-1 of the *ITD Traffic Manual: Idaho Supplementary Guidance to the MUTCD* (April 2020) under Weekday PM peak hour conditions. In addition, widening the Warm Lake Road approach to SH-55 to allow left and right turning vehicles to be side by side and make their movements simultaneously will allow drivers to enter SH-55 with less delay. **Table 18** reports the results of the Warm Lake Road and Boydston Street intersection analyses with these added turn lanes. ITD is set to begin a detailed study of the SH-55/Banks-Lowman Road intersection in the coming year to identify improvements and so updated analyses of this intersection are not provided with this addendum. This study will determine appropriate capacity and safety treatments at the intersection.



#### 6.2.1.2 WEEKEND

Analysis of the 2022 Weekend forecasts shows the same failure for the westbound left-turn movement at the SH-55 and Deinhard Lane signalized intersection. Adding dedicated turn lanes on Deinhard and updating the signal timing the same as described for Weekday conditions will adequately serve the intersection as shown in **Table 18**.

The Warm Lake Road westbound left turn movement is estimated to operate at LOS C under 2022 weekend conditions, as is the Boydston Street northbound left turn movement. The other movements at these intersections are estimated to operate at LOS A. Printouts of the full 2022 Background improvement analyses are presented in **Appendix M**.

### 6.2.2 2030 Background Conditions

There are no changes to the 2030 Background conditions improvements analysis from the original TIS. In summary, most of the intersections are estimated to operate at acceptable LOS given 2030 Background conditions. The SH-55 and Deinhard Lane signalized intersection fails in the AM and PM peak hours. HDR analyzed an alternative that adds dedicated northbound and southbound right-turn lanes to the intersection in addition to the added eastbound and westbound left-turn lanes, and updates the signal timing to accommodate these movements. The results of the capacity analysis for this alternative with dedicated left- and right-turn lanes on all approaches operates adequately to serve 2030 Background weekday and weekend turning movements. Printouts of the full analyses are presented in **Appendix N**.

### 6.2.3 2040 Background Conditions

There are no changes to the 2040 Background conditions improvements analysis from the original TIS. In summary, the improved SH-55 and Deinhard Lane signalized intersection with added dedicated northbound and southbound right-turn lanes and eastbound and westbound left-turn lanes with and updated the signal timing to accommodate these movements operates adequately to serve 2040 Background weekday and weekend turning movements.

The northbound left-turn movement at the Boydston Street intersection falls to LOS F in the 2040 Background analysis year with Weekday conditions. Three alternatives analyzed under 2040 Weekday conditions include adding turn lanes on SH-55, roundabout control and signal control. Adding turn lanes does not adequately serve the intersection as the northbound left-turn movement still fails. The roundabout and signal control will serve the travel demand adequately. Printouts of the full analyses are presented in **Appendix O**.



Table 18. 2022 Background Improvements Intersection Analysis Results

Intersection	Movement	Weekday PM Peak Hour			Friday Evening		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Deinhard Lane	<b>Overall Signal</b>	<b>B</b>		<b>17.0</b>	<b>B</b>		<b>16.2</b>
	EBL	C	0.63	24.7	C	0.57	24.3
	EBT	B	0.48	17.7	B	0.42	18.2
	EBR	B	0.61	19.3	B	0.56	19.7
	WBL	C	0.79	29.8	C	0.74	25.9
	WBT	B	0.36	16.2	B	0.37	16.9
	WBR	B	0.55	17.8	B	0.43	17.4
	NBL	B	0.32	11.6	B	0.29	10.3
	NBT	B	0.65	16.4	B	0.77	16.8
	NBR	B	0.20	10.6	A	0.14	8.9
	SBL	B	0.30	11.3	B	0.20	10.9
	SBT	B	0.72	17.3	B	0.60	14.9
	SBR	B	0.15	11.0	B	0.12	10.2
	Intersection	Movement	AM Peak Hour			PM Peak Hour	
LOS			v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Warm Lake Road	WBL	B	0.04	10.3	B	0.07	12.5
	WBR	A	0.01	8.9	A	0.01	9.6
	SBL	A	0.01	7.5	A	0.01	8.0
SH-55 / Boydston Street	WBL	A	0.04	7.9	A	0.04	8.0
	NBL	B	0.10	12.1	C	0.30	16.9
	NBR	A	0.08	9.7	A	0.08	9.9

### 6.3 Additional Improvements to Accommodate Build Traffic

The operations analysis with the SGLF trips follows the same pattern of operational and capacity results and failures as the Background conditions for each analysis year Weekday conditions (2022, 2030, and 2040). The improvements investigated will operate adequately with the SGLF trips added to the background trips. No additional improvements beyond those identified for the Background



conditions are needed to accommodate the Build conditions. Results of the 2022, 2030, and 2040 Build conditions are found in **Appendices M, N, and O**, respectively. These improvements are necessary for the intersections to operate adequately with or without the added MGII trips.

### 6.3.1 Access Design and Turn Lane Warrants

Dedicated turn lanes are recommended on SH-55 for the following intersections following the appropriate guidance in the *AASHTO A Policy on Geometric Design of Highways and Streets, 7th Edition* (2018) as identified in the *ITD Traffic Manual: Idaho Supplementary Guidance to the MUTCD* (April 2020) to determine the need for left-turn lanes on uncontrolled for Background and Build conditions:

- SH-55 / Banks-Lowman Road – northbound and southbound right- and left-turn lanes
- SH-55 / Warm Lake Road – northbound right-turn lane and southbound left-turn lane
- SH-55 / Boydston Street – westbound left-turn lane

The westbound left-turn lane is included with the stop control and signal control alternative improvements for the Boydston Street intersections.

The driveways accessing the SGLF from Warm Lake Road should be designed following the *Valley County Minimum Standards for Public Road Design and Construction* (April 16, 2008).

### 6.3.2 2022 Build Conditions

The capacity analyses of 2022 Build conditions with the proposed improvements described below indicate that all of the study roadways and intersections meet the recommended LOS thresholds and operate adequately. These improvements include:

- SH-55 and Warm Lake Road intersection
  - Added northbound right-turn, southbound left-turn, and widened the westbound approach to allow simultaneous left and right turn movements at the stop controlled intersection
- SH-55 and Deinhard Lane signalized intersection
  - Added eastbound and westbound dedicated left-turn and right-turn lanes to the intersection, providing left, through, and right turn lanes at the intersection
  - Added northbound and southbound right-turn lanes providing left, through, and right turn lanes at the intersection
  - Updating the signal timing to allow for protected/permissive flashing yellow arrow phasing
- SH-55 and Boydston Street intersection
  - Three alternatives were analyzed:
    - Added westbound left-turn lane to the stop controlled intersection
    - A single lane roundabout
    - Added eastbound right-turn and westbound left-turn lanes to a signal controlled intersection

The Build analyses included all of the improvements described for the Deinhard Lane intersection, not just those needed to accommodate the MGII trips. The MGII trips do not contribute to all of the deficiencies identified at the intersection in the Background conditions and do not cause the LOS to degrade beyond what the Background analyses results show.





Results of the 2022 Weekday Build capacity analysis are shown in **Table 25** for the Warm Lake Road and Deinhard Lane intersections and **Table 26** for the Boydstun Street alternatives. The Deinhard Lane AM peak hour was not analyzed for build conditions as it is estimated to operate adequately without all of the improvements and so will operate better with the proposed improvements.

**Table 25. 2022 Build Weekday Improvements Intersection Analysis Results**

Intersection	Movement	AM Peak Hour			PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Warm Lake Road	WBL	B	0.06	11.1	B	0.19	13.8
	WBR	A	0.01	9.0	A	0.05	10.0
	SBL	A	0.03	7.9	A	0.01	8.1
SH-55 / Deinhard Lane	<b>Overall Signal</b>				<b>B</b>		<b>17.2</b>
	EBL				C	0.63	25.3
	EBT				B	0.47	17.8
	EBR				B	0.63	19.7
	WBL				C	0.79	30.8
	WBT				B	0.36	16.3
	WBR				B	0.54	17.9
	NBL				B	0.40	12.0
	NBT				B	0.63	16.3
	NBR				B	0.20	10.6
	SBL				B	0.30	11.6
	SBT				B	0.73	17.8
	SBR				B	0.16	11.3

The Warm Lake Road intersection is estimated to operate adequately with the additional turn lanes added. The updated configuration for the Deinhard Lane signal is also estimated to operate well.

The Boydstun Street intersection is estimated to operate adequately with the additional westbound left-turn lane added. The roundabout and signal alternatives are estimated to operate very well but are not necessary to accommodate 2022 Background or Build demand.



**Table 26. 2022 Build Boydston Street Improvements Intersection Analysis Results**

Intersection	Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Boydston Street	<b>Alternative 1 – Add WB left-turn lane</b>						
	NBL	B	0.12	12.4	C	0.38	18.5
	NBR	A	0.08	9.8	B	0.08	10.0
	WBL	A	0.04	7.9	A	0.04	8.0
	<b>Alternative 2 – Single Lane Roundabout</b>						
	EB	A	0.21	4.8	A	0.24	5.0
	WB	A	0.13	4.0	A	0.28	5.8
	NB	A	0.12	4.4	A	0.21	5.3
	<b>Alternative 3 – Signal Control</b>						
	<b>Overall Signal</b>	<b>A</b>		<b>8.8</b>	<b>A</b>		<b>8.3</b>
	EBT/R	B	0.65	10.8	B	0.64	10.4
	WBL	A	0.11	6.0	A	0.11	5.9
	WBT	A	0.12	3.9	A	0.30	4.3
	NBL	A	0.20	9.5	B	0.62	11.4
	NBR	A	0.24	9.7	A	0.22	9.9

### 6.3.3 2030 Build Conditions

The capacity analyses of 2030 Build conditions with the proposed improvements indicate that all of the study roadways and intersections meet the recommended LOS thresholds and operate adequately.

Results of the 2030 Weekday Build capacity analysis are shown in **Table 27** and **Table 28** for the Boydston Street alternatives. The Deinhard Lane AM peak hour was not analyzed for build conditions as it is estimated to operate adequately without all of the improvements and so will operate better with the proposed improvements.

The Warm Lake Road intersection is estimated to operate adequately with the additional turn lanes added. The updated configuration for the Deinhard Lane signal is also estimated to operate well.

The Boydston Street intersection is estimated to operate adequately with the added westbound left-turn lane. The roundabout and signal alternatives are estimated to operate very well but are not necessary to accommodate 2030 Background or Build demand.



**Table 27. 2030 Build Weekday Improvements Intersection Analysis Results**

Intersection	Movement	AM Peak Hour			PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Warm Lake Road	WBL	B	0.07	11.6	C	0.22	15.9
	WBR	A	0.01	9.2	B	0.04	10.4
	SBL	A	0.03	7.9	A	0.01	8.3
SH-55 / Deinhard Lane	<b>Overall Signal</b>				<b>C</b>		<b>21.0</b>
	EBL				C	0.78	34.7
	EBT				C	0.54	21.6
	EBR				C	0.72	24.4
	WBL				C	0.79	34.0
	WBT				B	0.38	18.5
	WBR				C	0.57	20.3
	NBL				B	0.52	14.8
	NBT				C	0.71	20.1
	NBR				B	0.21	11.1
	SBL				B	0.42	13.8
	SBT				C	0.81	23.8
	SBR				B	0.18	12.6



**Table 28. 2030 Build Boydston Street Improvements Intersection Analysis Results**

Intersection	Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Boydston Street	<b>Alternative 1 – Add WB left-turn lane</b>						
	NBL	B	0.17	14.2	D	0.56	28.7
	NBR	B	0.11	10.3	B	0.11	10.6
	WBL	A	0.06	8.1	A	0.06	8.2
	<b>Alternative 2 – Single Lane Roundabout</b>						
	EB	A	0.26	5.3	A	0.30	5.7
	WB	A	0.16	4.4	A	0.37	7.0
	NB	A	0.16	4.9	A	0.26	6.1
	<b>Alternative 3 – Signal Control</b>						
	<b>Overall Signal</b>	<b>A</b>		<b>9.1</b>	<b>A</b>		<b>9.0</b>
	EBT/R	B	0.68	10.8	B	0.70	11.1
	WBL	A	0.14	5.9	A	0.14	6.2
	WBT	A	0.13	3.7	A	0.35	4.5
	NBL	B	0.27	10.8	B	0.58	13.1
	NBR	B	0.32	11.1	B	0.27	11.2

### 6.3.4 2040 Build Conditions

The capacity analyses of 2040 Build conditions with the proposed improvements indicate that all of the study roadways and intersections meet the recommended LOS thresholds and operate adequately.

Results of the 2040 Weekday Build capacity analysis are shown in **Table 29** and **Table 30** for the Boydston Street alternatives. The Deinhard Lane AM peak hour was not analyzed for build conditions as it is estimated to operate adequately without all of the improvements and so will operate better with the proposed improvements.

**Table 29. 2040 Build Weekday Improvements Intersection Analysis Results**

Intersection	Movement	AM Peak Hour			PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Warm Lake Road	WBL	B	0.10	12.8	C	0.29	21.1
	WBR	A	0.01	9.5	B	0.04	11.3
	SBL	A	0.02	8.0	A	0.02	8.8
SH-55 / Deinhard Lane	<b>Overall Signal</b>				<b>C</b>		<b>33.8</b>
	EBL				D	0.80	49.9
	EBT				C	0.64	32.6
	EBR				D	0.88	53.0
	WBL				D	0.85	52.4
	WBT				C	0.44	26.1
	WBR				C	0.67	31.4
	NBL				C	0.77	31.6
	NBT				C	0.83	31.9
	NBR				B	0.24	13.2
	SBL				C	0.67	23.6
	SBT				D	0.88	35.7
	SBR				B	0.19	14.5

The Warm Lake Road intersection is estimated to operate adequately with the additional turn lanes added. The updated configuration for the Deinhard Lane signal is also estimated to operate well.

The northbound left turn movement at the stop controlled Boydston Street intersection is estimated to fail even with the added westbound left-turn lane. The roundabout and signal alternatives are estimated to operate very well but are not necessary to accommodate 2040 Background or Build demand.



**Table 30. 2040 Build Boydston Street Improvements Intersection Analysis Results**

Intersection	Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
		LOS	v/c	Delay (s/veh)	LOS	v/c	Delay (s/veh)
SH-55 / Boydston Street	<b>Alternative 1 – Add WB left-turn lane</b>						
	NBL	C	0.28	18.9	F	1.00	107.5
	NBR	B	0.16	11.3	B	0.17	12.0
	WBL	A	0.08	8.5	A	0.09	8.7
	<b>Alternative 2 – Single Lane Roundabout</b>						
	EB	A	0.35	6.3	A	0.42	7.3
	WB	A	0.22	5.0	A	0.51	9.4
	NB	A	0.22	5.9	A	0.35	7.7
	<b>Alternative 3 – Signal Control</b>						
	<b>Overall Signal</b>	<b>A</b>		<b>9.7</b>	<b>B</b>		<b>10.7</b>
	EBT	B	0.72	11.0	B	0.79	13.2
	WBL	A	0.19	6.0	A	0.21	7.2
	WBT	A	0.16	3.4	A	0.43	4.9
	NBL	B	0.40	13.4	B	0.66	16.5
	NBR	B	0.49	14.2	B	0.35	14.1

## 7 Conclusions

### 7.1 SGLF Accessibility

The current public road accessibility on SH-55 and Warm Lake Road is acceptable for existing and forecast Background and Build conditions in all analysis years. Specific improvements identified in this TIS addendum and described in Section 8, Recommendations, are necessary for the intersections of SH-55 with Warm Lake Road, Deinhard Lane, and Boydston Street to operate adequately under 2022, 2030, and 2040 Background conditions (without MGII trips included). Those proposed improvements will also allow these intersections to operate adequately under the 2022, 2030, and 2040 Build conditions, which include the MGII trips.

### 7.2 Transportation Impacts and Need for Improvements

The improvements recommended for study area intersections are necessary based on the analyses completed to provide LOS C operations. Improvements specific to the SGLF include the proposed driveways to Warm Lake Road and study intersection improvements identified in the Recommendations section.



The improvements for the public intersections are necessary to operate adequately with or without the added MGII trips, as shown in the Background conditions analysis results. Midas’s addition of trips will not cause any intersection LOS to fall below acceptable levels and Midas’s contribution to intersection improvements will help address existing deficiencies and future impacts from growth. **Table 31** presents the estimated MGII trips and total volume at each study intersection along SH-55 during each analysis year peak hour

**Table 31. MGII Trips as Percentage of Total Intersection Volume**

Intersection	Volumes & Trips	2022		2030		2040	
		AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
SH-55 / Banks-Lowman Road	Total Volume	430	639	513	777	659	1,014
	MGII Trips	64	64	49	49	35	35
	% MGII Trips	14.9%	10.0%	9.6%	6.3%	5.3%	3.5%
SH-55 / Warm Lake Road	Total Volume	395	615	452	731	561	936
	MGII Trips	97	97	75	75	54	54
	% MGII Trips	24.6%	15.8%	16.6%	10.3%	9.6%	5.8%
SH-55 / Deinhard Lane	Total Volume	1,171	1,730	1,468	2,176	1,957	2,908
	MGII Trips	33	33	26	26	19	19
	% MGII Trips	2.8%	1.9%	1.8%	1.2%	1.0%	0.7%
SH-55 / Boydston Street	Total Volume	509	775	630	966	830	1,282
	MGII Trips	33	33	26	26	19	19
	% MGII Trips	6.5%	4.3%	4.1%	2.7%	2.3%	1.5%
SH-55 / US-95	Total Volume	396	642	486	797	637	1,055
	MGII Trips	33	33	26	26	19	19
	% MGII Trips	8.3%	5.1%	5.4%	3.3%	3.0%	1.8%

The MGII trips are a higher percentage of the total intersections volume during the construction phase and decrease as a percentage of total volume at the intersections in the future years as Background traffic grows. The highest percentages are seen at the Warm Lake Road intersection and the lowest at the Deinhard Lane intersection.



The Warm Lake Road intersection is estimated to operate adequately with the left turn movement from Warm Lake Road operating at LOS C or better under all analysis years. Providing additional turn lanes on SH-55 provides safety for the vehicles slowing on SH-55 to turn onto Warm Lake Road and reduces conflicts with vehicles traveling through on SH-55. An acceleration lane for the Warm Lake Road left-turning vehicles entering SH-55 can be provided with these turn lane improvements as well. With the added turn lanes on SH-55 and a widened Warm Lake Road approach to allow left and right turn movements to be side by side, the westbound left-turn movement is estimated to operate at LOS C and the westbound right turning vehicles are estimated to operate at LOS B with an average of 11.3 seconds of delay, a reduction of 10 seconds per vehicle over when they had to wait in the queue with the left turning vehicles. The turn radii should be improved to accommodate the design vehicles (WB-67).

Providing improvements to the Deinhard Lane signalized intersection as described in Section 6, Improvement Analysis, will allow it to operate adequately throughout the study period under both Background and Build conditions. These improvements are needed due to increasing demand at the intersection and not because of the additional MGII trips. The existing turning radius for the right turn from Deinhard Lane to SH-55 to travel south does not serve WB-67 vehicles well and needs to be improved for the MGII WB-67 and other heavy vehicles to safely make this movement. The other turn lane additions to the legs of the intersection and signal timing updates are necessary under forecast background conditions and should be provided through a separate project by ITD and the City of McCall outside of the need for the MGII vehicle trips.

The left turn movement from Boydston Street to SH-55 is estimated to fail at LOS F as a stop controlled movement under the 2040 Background and Build conditions, even with the added westbound left-turn lane on SH-55. All of the other movements are estimated to operate at LOS A or B. Providing the westbound left-turn lane on SH-55 provides safety for the vehicles slowing on SH-55 to turn onto Boydston Street, reducing conflicts with vehicles traveling through on SH-55. Adding it does help the northbound left turn operations somewhat because they provide more gaps for the vehicles waiting to turn to enter SH-55. Without these added turn lanes the northbound left-turn movement is estimated to operate at LOS F with an average of 122 seconds of delay and up to 10 vehicles queued up waiting to make the movement. With the added turn lanes on SH-55, this movement is estimated to still operate at LOS F in 2040 but with an average of 107.5 seconds of delay, a reduction of 16.5 seconds per vehicle, almost 13% less. Also, the estimated number of vehicles queued waiting to make this movement is reduced to 8. The turn radii should be improved to accommodate the design vehicles (WB-67).

The roundabout and signal alternatives at the SH-55 and Boydston Street intersection are estimated to operate very well in 2040. The intersection does not meet signal warrants now and a roundabout may have significant right-of-way impacts and costs to implement compared to added turn lanes. Adding these turn lanes and providing means to easily install a signal in the future when warrants are met could provide benefit now and in the future.

### 7.3 Compliance with Local Codes

The proposed SGLF improvements are consistent with existing and planned land uses and other Valley County code requirements. Warm Lake Road is adequate in width, surfacing, and grade to



accommodate the design vehicles traveling in both directions. Improvements to intersections should include adequate radii to accommodate the design vehicles accessing the SGLF.

## 8 Recommendations

### 8.1 SGLF Access/Circulation Plan

The proposed circulation and parking design, layout, and number of stalls is appropriate for the SGLF development and meet Valley County requirements. The access and circulation should be implemented as presented in the site plan (**Figure 2**).

Based on the findings of this study, it is recommended that the following development guidelines be followed:

1. Provide adequate sight distance for all driveways to Warm Lake Road.
2. Provide on-site parking that meets Valley County requirements, including for drive aisles between parking stalls and for fire lanes.
3. Design and construct the proposed driveways to Warm Lake Road to accommodate public emergency vehicles, including fire trucks and ambulances, following Valley County standards for driveway width.
4. Provide pedestrian access from the parking areas to the sidewalks and pathways to the SGLF buildings and warehouse that follows ADA requirements.

### 8.2 Transportation System Improvements and Phasing

**Table 32** summarizes the existing intersection configuration and control and the improvements recommended for the study area intersections. The table also recommends a schedule for when the improvements should be provided in the short-term (2020-2022), medium-term (2023-2029), and long-term (2030-2040).

ITD has a plan to conduct an engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the SH-55 / Banks-Lowman Road intersection to determine appropriate capacity and safety treatments at the intersection.

The SH-55 / Warm Lake Road intersection meets guidance and warrants to add turn lanes to the SH-55 approaches to provide deceleration length for vehicles to reduce speed and move out of the through travel lanes as they prepare to turn onto Warm Lake Road. A widened Warm Lake Road approach to allow left and right turn movements to be side by side is also recommended to improve operations.



**Table 32. Recommended Intersection Improvements & Schedule**

Intersection	Improvement Description	Development Improvements*	2040 MGII Trips %	Schedule
SH-55 / Banks-Lowman Road	<ul style="list-style-type: none"> <li>ITD will study this intersection to identify needed improvements</li> </ul>	N/A	5.3% AM 3.5% PM	N/A
SH-55 / Warm Lake Road	<ul style="list-style-type: none"> <li>Install northbound right-turn lane, southbound left-turn lane, and widen Warm Lake Road approach for simultaneous left and right turn movements</li> <li>Install an acceleration lane for the Warm Lake Road left-turning vehicles entering SH-55</li> <li>Improve turn radii to accommodate design vehicles (WB-67)</li> </ul>	<ul style="list-style-type: none"> <li>Install northbound right-turn lane, southbound left-turn lane, and widen Warm Lake Road approach for simultaneous left and right turn movements</li> <li>Install an acceleration lane for the Warm Lake Road left-turning vehicles entering SH-55</li> <li>Improve turn radii to accommodate design vehicles (WB-67)</li> </ul>	9.6% AM 5.8% PM	Short-term
SH-55 / Deinhard Lane	<ul style="list-style-type: none"> <li>Install additional dedicated left-turn lanes on Deinhard Lane and dedicated right-turn lanes on SH-55 so each approach has a left-turn, through, and right-turn lane</li> <li>Improve curb radii in all for corners of the intersection</li> <li>Update signal timing</li> </ul>	<ul style="list-style-type: none"> <li>Widen the Deinhard Lane west leg to provide separate left, through and right turn lanes with a larger turn radius or a free right turn condition to access the SH-55 south leg</li> </ul>	1.0% AM 0.7% PM	Short-term
SH-55 / Boydston Street	<ul style="list-style-type: none"> <li>Install westbound left-turn lane and provide infrastructure for future signal control</li> <li>Improve turn radii to accommodate design vehicles (WB-67)</li> </ul>	<ul style="list-style-type: none"> <li>Install westbound left-turn lane and provide infrastructure for future signal control</li> <li>Improve turn radii to accommodate design vehicles (WB-67)</li> </ul>	2.3% AM 1.5% PM	Medium-term
SH-55 / US-95	<ul style="list-style-type: none"> <li>No improvements recommended</li> </ul>	<ul style="list-style-type: none"> <li>No improvements recommended</li> </ul>	3.0% AM 1.8% PM	N/A

\* Improvements per cooperative agreement between affected transportation agencies

The SH-55 / Deinhard Lane intersection should be improved with additional dedicated eastbound and westbound left-turn lanes on Deinhard Lane and dedicated northbound and southbound right-turn lanes on SH-55 so each approach has a left-turn, through, and right-turn lane to serve the proposed demand. The signal timing should be updated to accommodate these additional turn lanes as well. The curb radius in the southwest corner of the intersection should be designed to accommodate the right-turning heavy vehicles traveling to the SGLF as well as emergency vehicles and other heavy vehicles in the area. Pedestrian crossings at the signalized intersection should continue to be accommodated. MGII has discussed the overall improvements needed at this intersection with ITD and the City of McCall and developed some concepts that will assist in designing them. MGII will work with ITD and the City of McCall to improve the existing turning radius for the right turn movement from Deinhard Lane to SH-55 as it does not serve WB-67 vehicles well.

Improvements may include providing a larger turn radius or a free right turn condition the southwest corner. The other turn lane additions to the legs of the intersection and signal timing updates are necessary under forecast background conditions. ITD and the City of McCall will work to identify the design, schedule, and funding to implement the remainder of the improvements.

The SH-55 / Boydston Street intersection should be improved with an added westbound left-turn lane on SH-55 and the needed infrastructure to allow future signal control. MGII will work with ITD and the City of McCall to provide these improvements.

The SH-55 / US-95 intersection is estimated to operate with adequate LOS throughout all of the analysis years and conditions. No additional improvements are recommended at this time for this intersection.

ITD should continue to analyze potential improvements to SH-55 along the entire study area as part of their corridor study to address the congestion issues at the study intersections and on the highway segments between study intersections. This congestion has been shown to occur with or without the proposed SGLF improvements.

MGII should continue to coordinate the improvement of the SH-55 intersection with Warm Lake Road with ITD and Valley County and the improvement of the SH-55 intersections with Deinhard Lane and Boydston Street with ITD and the City of McCall.

## 9 Improvement Implementation & Future Analysis

As MGII develops the SGLF, they have worked with ITD, the City of McCall, Valley County, and others to identify partnership opportunities to provide recommended improvements based on MGII's trips traveling through the study roadways and intersections. These improvements will be scheduled for design and installation with these agencies and jurisdictions.

ITD should monitor traffic volumes at the study intersections. If unforeseen deficiencies are identified and/or suspected, they should be analyzed and mitigated in coordination with the cities and counties.



## 10 References

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- <http://www.co.valley.id.us/departments/road-bridge/>



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**IDAHO TRANSPORTATION DEPARTMENT**  
P.O. Box 8028 • Boise, ID 83707-2028  
(208) 334-8300 • [itd.idaho.gov](http://itd.idaho.gov)

September 1, 2020

Jordan Nielson  
Midas Gold  
405 South 8th Street, Suite 201  
Boise, Idaho 83702  
[jnielsen@midasgoldinc.com](mailto:jnielsen@midasgoldinc.com)

VIA EMAIL

RE: Midas Gold – ITD Development Condition Memo

Dear Mr. Nielson,

I really appreciate the work Midas Gold is doing to help those who are living in this beautiful area of Valley County. The updated Midas Gold Traffic Impact Study (TIS), dated September 2020, provided by HDR has been reviewed. The development is located on Warm Lake Rd and is not taking direct access off of SH-55, but does have impacts to the state highway due to the size and volume of vehicles forecasted to utilize the facilities. The Construction Phase (2022 buildout) has the highest number of daily site trips and is used as the basis for determining mitigation impacts. ITD's position on required improvements to the transportation system to mitigate development impacts are listed below.

Intersection of SH-55 and Warm Lake Road

- Install northbound right-turn lane, southbound left-turn lane, and widen the Warm Lake Road approach for simultaneous left and right turn movements.
- Install an acceleration lane for the westbound left-turning vehicles entering SH-55
- Improve turn radii on the Warm Lake Road approach to accommodate design vehicles (WB-67)

Intersection of SH-55 and Deinhard Lane

- Widen the south and west legs to provide separate through and right turn lanes with a larger turn radius or a free right turn  
condition the southwest corner

Intersection of SH-55 and Boydston Street

- Install westbound left-turn lane and provide infrastructure for future signal control
- Improve turn radii to accommodate design vehicles (WB-67)



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Midas Gold has been diligently working with ITD and the city of McCall to discuss these improvements since 2018. Encroachment application(s) will be needed for any work performed in ITD's right-of-way. This includes submittal of engineered drawings and a traffic control plan for associated work.

Thank you again for your partnership. We are excited by the new growth Valley County is experiencing. We desire to make sure the safety of your employees and that of the traveling public is maintained. If there are any questions or concerns please don't hesitate to email me at [Erika.Bowen@itd.idaho.gov](mailto:Erika.Bowen@itd.idaho.gov) or give me a call at 208-265-4312 extension #7.

Sincerely,

A handwritten signature in cursive script that reads "Erika R Bowen".

Erika Bowen  
Idaho Transportation Department  
District 3 Traffic Technical Engineer

Cc:  
Cynda Herrick – Valley County  
Nathan Stewart – City of McCall



September 8, 2020

Valley County Commissioners  
c/o Cynda Herrick  
cherrick@co.valley.id.us  
219 N. Main St.  
Cascade, Idaho 83611

Subject: Midas Gold Logistics Facility – Conditional Use Permit

Dear Valley County Commissioners,

Idaho Power appreciates the opportunity to provide background information regarding Midas Gold, Inc. (Midas Gold) and their proposed investment in electric infrastructure to serve the company's Stibnite Gold Project in Valley County.

Idaho Power has worked with Midas Gold since 2013, when Midas Gold requested a Facility Study Report for a 50 MW load request for the Stibnite Gold Project. The Facility Study Report determined that significant upgrades to Idaho Power's existing system would be required throughout Valley County to meet the significant electric needs for this project.

To date, Idaho Power's discussions with Midas Gold have focused on how to supply the demand of the proposed Stibnite Gold Project in such a way that meets the company's operational needs, while simultaneously protecting existing Idaho Power customers. If the project moves forward, Midas Gold will be required to fund electrical upgrades that include replacing approximately 73 miles of an existing 69 kV transmission line with a 138kV line, within existing transmission rights of way, between Lake Fork, Cascade and Stibnite. Additional upgrades include increasing transformation capacity at Idaho Power's Hells Canyon Complex, upgrading five other existing substations, and constructing four new substations (Cascade Switching, Thunderbolt Drop, Johnson Creek and Stibnite).

Idaho Power has provided technical and engineering input regarding the typical construction practices related to the installation and operations of electrical infrastructure to Midas Gold, who applied to the United States Forest Service seeking approval for their Plan of Operations. The Forest Service recently completed and released a Draft Environmental Impact Statement that includes analysis of the proposed Idaho Power facilities required to serve the Stibnite Gold Project.

While the upfront costs for the infrastructure upgrades will be solely born by Midas Gold, the infrastructure will be available to serve general needs of existing and future customers as needed, as the new and upgraded infrastructure will become part of Idaho Power's general system operations.

Please do not hesitate to contact us if you have further questions.

Sincerely,

A handwritten signature in black ink that reads "Angelique Rood". The signature is written in a cursive, flowing style.

Angelique Rood  
Regional Manager



## C.U.P.20-12

jared <juljar@frontiernet.net>

Thu 8/20/2020 8:08 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

> Dear Planning and Zoning Commissioners,

> I am writing to share my concerns about Midas Gold Idaho's application for a conditional use permit (C.U.P. 20-12). First of all, I am an Idaho native, living in Idaho for over 47 years. Multiple times a year during summer and winter, I travel up and over Warm Lake Road. I use this road for backcountry access and to take my family camping to one of the many campsites along the way. It is one of the most scenic drives anyone can imagine. From the start of the road, looking across the plains at the open space and natural surroundings to cresting the top of Big Creek Summit and looking out at Landmark it is truly an amazing sight. So, that leads me to my concern. Are the commissioners going to let all this beauty be turned into an industrial mess? After reading the Valley County Comprehensive Plan, I was glad to see that it has a goal to maintain the "rural/small town character enjoyed by residents and visitors," but the very nature of the Stibnite Gold Logistics Facility (SGLF) goes against Valley County's vision as stated in the Comprehensive Plan. And for what? So a Canadian company can reap the profits and then leave us irreversible industrial development? (I understand that the V.C. Comprehensive plan states to "encourage mining if it meets environmental standards and complies with water quality goals" but it is premature to approve a facility in which there has not been a release of the draft environmental impact statement for the proposed Midas Gold Project, yet. It will be very difficult for Midas Gold to meet and exceed environmental standards and meet water quality goals. Don't put the cart before the horse.)

>

> Another concern is SAFETY. No matter what Midas Gold says about what they will do to make this road safer, they cannot predict Mother Nature's force of hand during the winter months. At times this road can be heroic, not to mention if there were to be huge amounts of large trucks making the journey. This scenic drive will no longer be scenic or safe. There are many more flaws with this proposal. If the members of Valley County Planning and Zoning truly care about this valley and the beauty around Cascade, I highly recommend not signing on to Midas Gold Idaho, Inc.'s infrastructure plan and PLEASE turn down C.U.P. 20-12.

>

> Regards,

>

> Jared Alexander

> McCall

From: Sam Stoddard <sstoddard@yahoo.com>  
Sent: Monday, August 31, 2020 7:53 PM  
To: Cynda Herrick <cherrick@co.valley.id.us>  
Cc: Douglas Miller <dmiller@co.valley.id.us>  
Subject: Comments on the appeal of CUP 20-12 Stibnite Gold Logistics Facility

Hi Cynda. I made a few minor edits to this. Thank you.

Saludos

Sam

Begin forwarded message:

From: Sam Stoddard <sstoddard@yahoo.com>  
Date: August 30, 2020 at 9:40:48 PM MDT  
To: cherrick@co.valley.id.us  
Subject: Comments on Stibnite Logistics Facility

Hello Cynda. I am sending these comments ahead of the County Commissioners meeting of 9/14.  
Comments on the appeal of CUP 2012 Stibnite Gold Logistics Facility

I am a resident of Valley County and have 32 years of construction experience on industrial projects, 15 of which were on mining projects that are very similar to the Stibnite Gold Project including with the need for similar off-site facilities. I reviewed the Midas Gold plan for their Stibnite Logistics Facility based on this experience in order to determine whether the location and size make sense from a construction execution and community impact point of view. Following are my observations:

- The 25 acre plot minus the wetland areas appears to be too small for the intended use. An example is that Midas calls out 300 parking spaces for private vehicles for use when employees board the busses for the trip to the mine for their work shift. Per their own construction manpower forecast there will be about 1000 construction workers at the peak. By the way this number of 1000 appears to be about 500 low based on historical data from similar projects. So where will the other 700 plus park? In general reviewing the site plan it appears to me that the facility was designed to fit the site instead of designing it to meet the projects needs and then sourcing a site of adequate size which is standard practice. Bus and truck parking/staging areas appear to be too small for the intended use. 15 to 20 busses will be required to transport personnel to and from the mine site. Trucking is addressed in the next bullet item.
- One important aspect of an off site logistic facility is to minimize traffic to and from the site and it's impact on local communities. I fail to find any advantage to the Scott Valley location to help mitigate traffic congestion on Hwy 55, on Warm Lake Road and in the town of Cascade. Selection of a site South and/or East of Cascade would do far more to minimize traffic congestion in these areas. Most of the construction workforce for the project will be traveling to and from the Treasure Valley. Also the majority of the project freight will be arriving from the south. Therefore it only makes sense that at shift change it would be far more effective to transfer the workforce to busses before they pass through Cascade. This would also help minimize congestion at the intersection of Hwy 55 and Warm Lake Road. A location South of Cascade would consolidate workforce traffic from up to 1000 private vehicles to approximately 15 to 20 busses passing through Cascade and traveling on Warm Lake Road at shift change, ( in both directions, 1 shift leaving and 1 shift arriving). This would also apply to freight vehicles to a certain extent depending on the Midas detail logistics plan. However a project of this size will have thousands of deliveries of all shapes and sizes including many oversized loads.

- The plan that Midas submitted for their Logistics Facility contains a voluminous section titled “Transportation Impact Study”. It contains page after page of technical data that perhaps a transportation engineer would find useful but means little to the average reader. In fact this section makes up the majority of the entire package but does not spell out any relevant advantage that the Scott Valley location provides. The recommendations and conclusions of this section seem to only focus on the Logistics Facility itself rather than than the larger issues involving Highway 55, Warm Lake Road and the communities that will be impacted such as downtown Cascade.
- Normally when a site for this type of facility is sourced another important factor to be considered is proximity to existing industrial/commercial installations. This allows potential access to existing utility systems and community services such as Fire, EMT and Police. None of these systems or service are existing in the Scott Valley. In that regard I did not find in the site plans any provision for the septic and water systems or their required set backs from property lines, other installations and wetlands. Normally this is an important consideration during the Planning and Zoning review of any such facility in order to ensure that industrial/commercial areas are not built in inappropriate areas but are limited to existing areas already zoned for this type of use.
- To my knowledge the Scott Valley is generally an undeveloped rural area with some agricultural and livestock activities. This helps to maintain the scenic value of Warm Lake Road. Therefore from a public relations perspective this seems to make the location a poor choice by Midas as it will certainly meet with some resistance from the community which seems to contradict the promises Midas has made to do what is right for the community. This site is further complicated by legacy issues that establishing an industrial area in a Scott Valley will undoubtedly generate in the future due to the precedent it will set. I also believe that Midas will be faced with having to expand the size of the facility in the future in order to meet their needs, therefore exacerbating this problem.
- It is in general a best practice in the industry on projects of this remote nature to have an off site facility close to the nearest population center. There are numerous advantages to doing this including, to consolidate and minimize traffic to and from the site on risky roads, perform safety inspections and maintenance on project busses and delivery vehicles, establish offices that are more accessible for hiring and other community interaction as well as to optimize off site fabrication and consolidation of deliveries. In my opinion it is admirable that Midas is taking action to implement this Logistics Facility but for me their selection of the site in Scott Valley makes no sense. This is true from a community impact point of view and also from a project execution point of view. Rather than help minimize traffic impacts to Cascade, Warm Springs Road and Highway 55 this location will likely have no effect or may even exacerbate the problem. I believe there are far better locations for this facility south of Cascade or on Thunder City Road. I believe there is an opportunity for Midas to work with local authorities to improve Thunder City Road which connects with Warm Lake Road and create a route that bypasses Cascade all together. In summary I find no advantage to the Scott Valley Site to Midas and only disadvantages to Valley County and the City of Cascade.

For the reasons stated above, I request that the Commission deny CUP 20-12.

Samuel Stoddard  
 Cascade Idaho.

From: Susan Bechdel <bechdelsusan@gmail.com>  
Sent: Monday, September 7, 2020 3:54 PM  
To: Valley County Commissioners <commissioners@co.valley.id.us>  
Cc: Douglas Miller <dmiller@co.valley.id.us>  
Subject: Opposition to CUP 20-12

Dear Commissioners Hasbrouck, Bingaman and Maupin,

I am writing in opposition to the Conditional Use Permit 20-12. Having read the P & Z staff report, I see many unanswered questions as well as contradictions in the proposal. I urge you to resolve each of those issues. Additionally, having used the Warm Lake Road myself for biking and access to the Frank Church, I will share reasons for my personal opposition.

I applaud your Comprehensive Plan and in that document you vow to "protect fish, wildlife and recreation resources". Warm Lake corridor provides vital access to fishing, hiking, hunting, bicycling, boating - all activities important to both residents and visitors. Turning the corridor into a heavy industrial zone is not compatible with your goal of protecting these recreational resources.

Idaho's outdoor recreation economy generates \$7.8 billion in consumer spending and supports 78,000 jobs. 79% of Idaho's residents participate in outdoor recreation.

Approving this storage facility might help Midas and indirectly put some short-term money into Valley County, but it would essentially destroy the intrinsic value of the Warm Lake corridor.

You got it right in your Comp Plan when you state one purpose is to "ensure that the economy of the state and localities is protected". Maintaining the integrity of the Warm Lake corridor protects that sustainable economic value as well as the recreational values we as Idahoans hold dear.

Thank you,

Susan Bechdel  
1401 Highway 55  
McCall, Valley County

**From:** Julia Welch <jwelch1@antioch.edu>

**Sent:** Saturday, September 5, 2020 1:15 PM

**To:** Douglas Miller <dmiller@co.valley.id.us>; Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** Appeal of CUP 20-12

To Whom It May Concern:

My name is Julia Welch and I am a permanent resident of McCall, and am grateful to live here for a host of reasons, but especially because of the incredible landscape and pristine wilderness we are surrounded by. I appreciate the opportunity to comment on this topic, and strongly urge you to revoke the approval of the conditional use permit for a facility to support mining operations.

Allowing these buildings is simply incongruous to the current Comprehensive Plan and absolutely does not address the potential risks this would pose. Environmentally, financially, socially, this approval demonstrates an inconsiderable, and short-term view of this project. I am hard-pressed to believe that with the fairly recent release of the Environmental Impact Statement, your committee has been able to thoroughly and intentionally review the scope of this detrimental project and extrapolate the myriad of potential outcomes and impacts it may have on our community. Additionally, have you considered how allowing this permit for the construction of this facility might be perceived by the community in terms of supporting the mine?

Midas gold aims to prove that there is little or no geopolitical risk with constructing a mine in this area, however I think our community's voices so far demonstrate otherwise, and it is absolutely insulting that they suggest this is a "restoration" project. As a citizen, I feel I have done my due diligence, as so many of our community members have-spending countless hours, reading, writing, discussing, and educating ourselves about OUR rights, legal limitations of what the City of McCall can and cannot approve without significant recourse, and have worked to diplomatically voice these opinions in the platforms and opportunities we've been given.

As a council, it is YOUR responsibility to protect our tourism economy (which will be decimated with the construct of this mine, and this facility is a first step), our place, and our people! You all live here, too-I see you biking, hiking, enjoying this place, and it makes me so happy-you're here for a reason; please don't forget that! Our community will fight fervently against this, and work towards some sort of agreement which will inarguably, robustly, and absolutely protect the needs of our overall community.

Sincerely, and with gratitude,

Julia Welch,

*M.S., Conservation Biology, 2016  
Antioch University New England  
(cell) 315-567-1470*

**From:** john lewinski <chukarhunter1@yahoo.com>  
**Sent:** Monday, September 7, 2020 3:11 PM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>; Douglas Miller <dmiller@co.valley.id.us>  
**Subject:** Stibnite staging area

September 7, 2020

Box 596  
606 Syringa Drive  
McCall, Idaho 83638

To the Valley County Commissioners:

I have two questions concerning the proposed staging area on the Warm Lake road from Cascade:

- 1) How can the rural flavor of our county which is supposed to be preserved be preserved if this huge industrial site goes ahead?
- 2) How can this staging area be approved when the Draft Environmental Impact Statement has just come out?

Sincerely,

John Lewinski

9-7-2020

Good Afternoon,

I am writing to oppose the construction of the Stibnite Gold Logistics Facility, and asking that Valley County not grant a "Conditional Use Permit" to the Midas Gold Corporation for this project.

Warm Lake road is an important corridor for residents, and non-residents that are drawn to the East Mountains for recreation, and appreciation of nature. I personally use Warm Lake road as a gateway to the South Fork Salmon river basin for recreational purposes. In a given week, I drive or bike down this road 4-5 times to recreate in the East Mountains. Many people are drawn to Valley County for the ability to access our pristine wilderness, and it's small town character. The Valley County Comprehensive Plan clearly states that "The natural beauty and open characteristics of the county can, without reservation, be described as a major reason why land development is rapidly increasing in the county." A 45,000 square foot facility with a 300 space parking lot that contains hazardous materials is simply incompatible with the Valley County Comprehensive Plan's goal to "guide development so as not to harm the characteristics which attracted it here in the beginning."

The application that Midas Gold has submitted simply fails to address many of the concerns regarding impacts on roadways, and the health and safety of residents and visitors to Valley County. This is likely to ruin Valley County's rural character and decrease the amount of visitors that bring valuable income to local businesses through low impact activities. Please consider denying the permit for this facility in order to protect our land, residents, visitors and wildlife.

Thank you,  
Lee Neale  
1600 Airport Way  
Cascade, ID 83611

**From:** Zak Sears <zaksears4@gmail.com>  
**Sent:** Monday, September 7, 2020 6:31 PM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>; Douglas Miller <dmiller@co.valley.id.us>  
**Subject:** Fwd: I oppose CUP 20-12

----- Forwarded message -----



**From:** **Zak Sears** <zaksears4@gmail.com>  
**Date:** Thu, Jul 9, 2020 at 7:41 AM  
**Subject:** I oppose CUP 20-12  
**To:** <cherrick@co.valley.id.us>, <savethesouthfork@gmail.com>

To Whom it May Concern,

I am a resident of McCall in Valley county and I oppose the application Midas Gold has submitted for the Conditional Use Permit to construct a Stibnite Gold Logistics Facility. The application is vague, incomplete, and misleading. Conditional Use Permit 20-12 should be denied and the application should be returned to the applicant.

I use the Warm Lake Rd frequently to access the greater South Fork of the Salmon area to seek refuge away from bustling infrastructure that so consumes much of Long Valley. I will not stand by and watch as a corporate giant attempts to take advantage of my small community. The establishment of this facility will set a precedent for future development in the area that is free of evaluation and community involvement. The heavy truck traffic associated with this facility is deeply concerning as well. The roads in the area are narrow and difficult to navigate even in a smaller vehicle. Last week a commercial truck drove into the nearby North Fork of the Payette river, closing the highway for hours, and polluting the river with all of the trucks contents. This outcome is a certainty if the described traffic in this proposal occurs.

Moreover, this proposal directly disregards the Objectives of Goal 1 on page 11 of the Valley County Comprehensive Plan which are to:

1. Maintain or improve existing levels of service as new growth occurs;
2. Evaluate the likely impact on the costs of services for new growth to ensure it does not create and undue hardship for Valley County residents.

Midas Gold is directly ignoring what the community of McCall has outlined to be in the best interest of its people and lands.

Zak Sears



Craig Rabe  
686 Fox Ridge Rd.  
McCall, ID 83638  
208-315-2515  
craigr@nezperce.org  
7/7/2020

Cynda Herrick  
Planning and Zoning Administrator  
Valley County  
219 N Main St.  
Cascade, ID 83611

Dear Cynda Herrick:

I am a long time resident of McCall and am concerned about Conditional Use Permit 20-12 Stibnite Gold Logistics Facility (SGLF). The application is vague, incomplete, and misleading. Conditional Use Permit 20-12 should be denied and the application should be returned to the applicant.

As someone who is responsible for the welfare of employees who travel the Warm Lake road on a weekly basis, the SGLF proposal causes me concern, especially considering the increased amount of heavy truck traffic that will undoubtedly occur between the mine site and the SGLF. As you're probably aware, portions of both the South Fork and Johnson Creek road, two of the three routes used by my employees, are quite narrow with very little margin for error. The probability of my staff having an accident with a large truck or bus in one of these narrow sections of road increases significantly if CUP 20-12 is approved.

It seems to me (and others) that the proponents of CUP 20-12 are getting ahead of themselves. Why establish the SGLF if you don't already know what your travel routes are going to be, or even if you're going to be able to mine at all? In my opinion, Midas needs to get these "minor" details worked out first, then the associated infrastructure can follow.

Lastly, I see this CUP as a gateway for broader industrialization of an otherwise pastoral environment, and a detraction from natural resource use. How will the proposed activity impact visitors to the area? Are these tradeoffs that we really want to make? I am looking forward to your response.

Cynda Herrick

7/7/2020

Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Rabe", with a long horizontal flourish extending to the right.

Digitally signed by Craig Rabe  
Date: 2020.07.07 16:56:02  
-06'00'

Craig Rabe

**From:** Cooper Lambla <coop.lambla@gmail.com>  
**Sent:** Monday, September 7, 2020 9:55 AM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>  
**Cc:** Douglas Miller <dmiller@co.valley.id.us>  
**Subject:** Comments on Conditional Use Permit 20-12

Hello,

I'm writing to express my grave concern in regards to the Valley County Conditional Use Permit 20-12 Sibnite Gold Logistics Facility. The application is vague, incomplete, and misleading. **Conditional Use Permit 20-12 should be denied.** A few key issues include:

- The Valley County Comprehensive Plan stated goal is to retain the rural/small town character enjoyed by residents and visitors. The proposed use on and along the Warm Lake road directly conflicts with this goal.
- The applicant does not discuss what it will do to mitigate impacts on services, infrastructure, and the health and safety of residents and visitors of Valley County.
- Midas Gold bears the burden of proving that their activities will not conflict with the objective - Chapter 3, Goal I, Objective 3.
- Planning and Zoning and the County Commission bear the burden of ensuring appropriate mitigation measures are in place to protect residents and visitors from the impacts of Midas Gold's activities.
- The application fails to address the applicant's responsibilities for generating, storing, and disposing of hazardous wastes produced at the SGLF. Hazardous materials include sodium cyanide, potassium amyl xanthate, ammonia nitrate, and pentaerythritol tetranitrate. Under the Emergency Planning and Community Right-to-Know Act (EPCRA) enacted by Congress in 1986 the general public has a right to know about chemical hazards within their community.
- The application omits the impacts of 20+ years of heavy truck traffic, to and from the SGLF and the mine site.
- The application contradicts itself. First it states that there will be no impacts from heat and glare, then it states that there will be impacts from heat and glare. Changing 16-acres of forest and wetland into a parking lot, most of which will be paved, will alter the surrounding environment including stormwater runoff, ambient air temperature, and aquatic and terrestrial species.
- The application does not address the potential for particulate emission (including smoke, dust, chemicals, gases or fumes) "that may be added by the proposed uses" and how those emissions will be minimized.
- The application states that "all grey water produced at the Logistics Facility will be . . . trucked offsite to a local wastewater facility." Impact Report at 2-4. It is not disclosed, however, whether the "local" facility--presumably Cascade--will have the capacity to accept this waste. The Impact Report needs to provide more information to let the public know whether the disposal plans are viable.

- The application states, without support, that there will be no impacts to wetlands. This needs to be proved.
- There is nothing in the Impact Report that “[i]denif[ies] existing groundwater and surface water quality and potential changes due to this proposal.” Valley County Code 9-5-3(D)(2)(f).
- The application fails to disclose and describe hazards that will exist as a result of activities associated with the SGLF.
- Warm Lake is a designated tourist hub by the Comprehensive Plan. The proposal in this application will have a detrimental effect on Warm Lake's ability to attract tourism.

Once again, please **deny Conditional Use Permit 20-12**.

Thank you,

Cooper Lambla

--

**COOPER  
LAMBLA**

[cooperlambla.com](http://cooperlambla.com)  
[coop.lambla@gmail.com](mailto:coop.lambla@gmail.com)  
704.759.4535

September 7, 2020

Valley County Commission  
219 N. Main Street  
Cascade, ID 83611

*BY ELECTRONIC MAIL - please confirm receipt*

Re: Appeal of CUP 20-12 Stibnite Gold Logistics Facility

Dear Commissioner Bingaman, Commissioner Hasbrouck, and Commissioner Maupin:

Thank you for the opportunity to comment on the Midas Gold's proposed Stibnite Gold Logistics Facility Conditional Use Permit appeal. After reading parts of the Draft Environmental Impact Statement (DEIS) for the proposed Stibnite Gold Project (SGP), which explicitly acknowledges a substantial amount of incomplete and unavailable information, and fails to answer important questions about impacts to ESA-listed fish, Native American rights and interests, and surface water and groundwater quality, it is evident this permitting process is far from completion. In much the same way, Midas Gold's application for a Conditional Use Permit is equally unsatisfactory (vague and misleading) as was the decision-making process that took place at the P&Z meeting in July. After Ms. Defoort properly recused herself, 3 of the 4 remaining Commissioners exhibited obvious bias in favor of Midas Gold and failed to address concerns raised in dozens of letters from concerned citizens.

Approving CUP 20-12 now prejudices ongoing and future decisions to be made by County officials. It interferes with the National Environmental Policy Act (NEPA) process for Midas Gold's proposed gold mine. It waives Valley County's ability to consider appropriate alternatives that may be presented as the NEPA process progresses. It creates a perception that Valley County is buying into the SGP with little regard for the environmental review process. The recent lawsuit filed by Midas Gold against the U.S. Forest Service indicates the nuance and complexity of this project. It also indicates that Midas Gold will stop at nothing to get its way, irrespective of the communities and taxpayers in Valley County.

Commissioners must table making any decision on CUP 20-12 until at least a Record of Decision has been issued by the U.S. Forest Service, and all lawsuits involving the SGP have been settled. Even then, the path forward for Midas Gold may not be smooth. There is an Idaho Pollutant Discharge Elimination System permit from Idaho DEQ that will include in-perpetuity active water treatment to bring post-mining water quality conditions to at least the same levels

existing at Stibnite today. There is compensatory mitigation negotiations and planning under Section 404 of the Clean Water Act that have yet to be substantively addressed. Recently, the Pebble Mine in Alaska, after a favorable Record of Decision, was denied this important permit by the U.S. Army Corp of Engineers. Valley County will be involved in these processes and must not abrogate its authority to negotiate with Midas Gold and regulators by prematurely approving one of the few project components within its jurisdiction.

Tabling CUP 20-12 for the time being has no impact on the applicant. But it will allow, as was noted by a reasonable voice in the initial P&Z hearing, for the individuals sitting in the County Commissioner seats at the time the SGP is approved to make reasoned decisions based upon the conditions at that time. Unless the County has access to a crystal ball, doing otherwise is inexpert public policy.

Please email us back so we are ensured our comments have been received and included in the public record. Thank you.

Respectfully,

Melissa and Fred Coriell  
McCall

RECEIVED

SEP 08 2020

Commissioners Hasbrouck, Bingaman, Maupin:

I am writing to oppose the approval of the Conditional Use Permit 20-12 for the proposed Stibnite Gold Logistics Facility.

I was raised in McCall and have referred to it as home for 26 years. Currently, I am wrapping up an MSc in Environmental Science and study medicine at the University of Washington. Based on my educational experience, I do not believe that the Stibnite CUP application has adequately factored in the potential health impacts of proposed infrastructure. This could have grave safety consequences for the residents of Valley County. After reading and analyzing the report, some of my concerns include:

- Lack of an appropriate fire safety plan while installing electrical facilities.
  - The risk of large Infrastructure Fires was not assessed. Heat and glare impact management in section 2.1.4 was vaguely described and spark management for large vehicles was not discussed. Water supply was proposed for 'domestic use' and did not assess emergency pump needs. As mentioned in section 2.1.7 "all facilities will have fire extinguishers and smoke detectors"; this is not an adequate plan for potential large-infrastructure risk. If emergency vehicles are called to the area, it will deny the existing residential and commercial areas these vehicles for the time it will take to transport to the Warm Lake Facility, manage the fire, and return. While Midas claims that they have planned for potential incidents, this information is not available to the public.
- Lack of a cleanup plan installing septic facilities
  - Geological map is not included and contamination of groundwater may affect residential drinking sources
- The traffic data provided by Midas does not adequately analyze road integrity. Traffic analysis is focused on volume, but lacks the impact of the weight of the vehicle and how that will affect road quality. The life-expectancy of road surfacing will decline and put public drivers at risk to encounter poor road quality; this will burdens tax payers with maintenance costs not covered in the County Agreement with Midas. If roads are not properly maintained, accident incidence is likely to rise. Stibnite safe traffic flow is reliant on Idaho Department of Transportation improvements that are not yet existing proposals. In addition, the health impact analysis for an increase in traffic has not been adequately discussed (<https://www.transportation.gov/mission/health/Health-Impact-Assessment>)
  - Please verify that the traffic analysis done by Midas is accurate; I have a difficult time believing that over 1000 vehicles drive on Warm Lake road on an 'average day'.
- Baseline noise studies have not been included and specific projections have not been made. Noise will impact wildlife and recreationists in the area.
- Specific management of particulate emissions is not included.
- Water facilities lack scientific investigation into water quality and quantity. Ground water analysis has not been conducted in the area to show geographical availability of water,

nor has a projected volume for the facility been disclosed. Safe surface water drainage has not been investigated and flows will include hazardous debris. Contaminated surface-water drainage is proposed to be through - quoted- 'localized depressions to act as water catchments' as stated in section 2.1.6., in which Midas also proposes to 'keep all stormwater on site' - with the amount of snow that that area gets, that is quite a lot of water.

- Storage of hazardous materials lacks specific infrastructure description; without a building plan included, standards may only meet minimal national requirements, presenting a contamination risk to soil and water in the surrounding area.
- Current emergency and healthcare facilities have limited resources to provide coverage for this area and no mass-casualty plan is discussed and is not publically available.

Over the last year, I have worked with a research group to analyze the health impact assessments of large infrastructure projects in Sub-Saharan Africa. Midas' CUP is vague and unspecified infrastructure plans leave large risk potential and thus may harm current residents. This document is worse than many proposals I reviewed for projects in Africa, which is disappointing, as I believe that Idaho should have high standards for developing infrastructure. In its current form, the CUP does not support the safety and health of current residents in Valley County. Please consider their wellbeing as you make permitting decisions and enforce strict regulations for future development.

I hope to raise my children in forests with the same environmental qualities that I was able to experience throughout my childhood in the area. Your decisions help make this a possibility.

Kind regards,

Ruth Lewinski  
[ruth.lewinski@gmail.com](mailto:ruth.lewinski@gmail.com)  
(208) 315-3793



From: Michelle Blank <michelleblank@mac.com>  
Sent: Saturday, September 5, 2020 7:52 PM  
To: Valley County Commissioners <commissioners@co.valley.id.us>  
Subject: Comments on Appeal of CUP for Stibnite Gold Logistics Facility

Dear Valley County Commission Members,

I am writing to express my concern about Conditional Use Permit the Planning and Zoning Commission approved to construct a Stibnite Gold Logistics Facility on Warm Lake Road. I am particularly concerned about the hazardous waste materials that will be stored on-site. Those materials have the potential to impact community health for generations to come. The containment of the same hazardous waste materials at the Stibnite Gold Mine are subject to an Environmental Impact Statement that requires a multi-year analysis to ensure safe storage and transport. The Conditional Use Permit does not even include what chemicals will be stored at the location on Warm Lake Road, much less does due diligence to explain to both this commission, and the general public, safeguards against community and environmental exposure. This, in itself, is a red flag that should lead this commission to seek more complete information.

Permitting for the Stibnite Gold Mine is still many years from approval. It seems excessively premature for Valley County Commissioners to approve a conditional use permit for a logistics facility years before the mine has even been approved, especially given the lack of information and potential risk to community members due to the hazardous waste that will be stored at the site. With an election fast approaching, please put the health and safety of your constituents and the environment before the financial interests of this corporation.

Thank you for your consideration.

Michelle Blank

McCall, Idaho

From: kkstew@frontiernet.net <kkstew@frontiernet.net>  
Sent: Saturday, September 5, 2020 1:21 PM  
To: Valley County Commissioners <commissioners@co.valley.id.us>  
Subject: Midas Gold Project

Commissioners,

I've lived in McCall for over 30 years. I love to camp, hike, enjoy our beautiful outdoors. I'm against the Midas Gold Project. I'm concerned about the ever increasing traffic on Hwy. 55, which we all deal with. Add to that, the trucks for this project will be carrying dangerous, poisonous chemicals along our roads and into the back country, Warm Lake Road back to Stibnite doesn't seem safe for people or nature. Many, many more people are recreating in our valley. Also, previous mining activities have already impacted the water quality. Idaho is known for its incredibly beautiful waterways. Tourism and recreation is a huge industry here now. We need to take care of it for the people as well as the animals.

Please reconsider

Kathy Stewart

14050 Deerfield Road

McCall, Id. 83638

## Comments on appeal of CUP 20-12

Lori Hunter <lhunter@co.valley.id.us>

Tue 9/8/2020 2:52 PM

To: Lori Hunter <lhunter@co.valley.id.us>

From: Charles Ray <marm@frontiernet.net>

Sent: Tuesday, September 8, 2020 1:55 PM

To: Valley County Commissioners <commissioners@co.valley.id.us>

Cc: Douglas Miller <dmiller@co.valley.id.us>

Subject: Comments on appeal of CUP 20-12

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

### Comments on the Appeal of CUP 20-12 Stibnite Gold Project Logistics Facility

Sent via e-mail September 8, 2020, to [commissioners@co.valley.id.us](mailto:commissioners@co.valley.id.us)

*Please confirm receipt*

To each member of the Valley County Commission,

I am a full-time, year round resident of Valley County and a property owner. I use the Warm Lake Road to access the South Fork of the Salmon River and the East Fork of the South Fork of the Salmon River for fishing, camping, hiking, and bird watching. I enjoy the drive along Warm Lake Road.

I have read the application for Conditional Use Permit 20-12 for the proposed Stibnite Gold Project Logistics Facility (SGPLF) and all of its Appendices A,C, and D. I have read some, but not all, of Appendix B. I have read the Highlands Economics LLC study - *Economic Impact Analysis of the Stibnite Gold Project*. I have read the Valley County Comprehensive Plan and Title 9 of the Valley County Code - Land Use and Development. I have watched the video of the P & Z meeting dealing with this CUP two times. I have read the Planning and Zoning Commission's Findings of Fact and Conclusions of Law.

I ask this Commission to overturn the P & Z Commission's approval of the CUP for the following reasons:

**1) The P & Z process** — Several times during the P & Z meeting, one commissioner or another said, "Any decision we make will get appealed to the County Commission and then go to district court, so we might as well just approve it and let the County Commissioners deal with it." (paraphrased). The P & Z Commissioners' prediction of the outcome of the process was pure speculation, but it formed the basis of their decision.

This is not the way this process must work. The P & Z Commission has a duty to read and understand the application and all supporting material, read and understand all public comments, discuss and resolve issues raised by the public, and make an informed and reasoned decision. That did not happen with CUP 20-12. I don't know where the Findings of Fact came from, but they certainly didn't come from the Commissioner's public discussions.

Upholding the approval of this CUP legitimizes such a breach of process and abdication of duty by the P & Z Commission. Upholding approval of this CUP after such a P & Z process will establish a very damaging precedent.

**2) Action on this CUP is premature** — Midas says they won't build the Midas Gold Project Logistics Facility until the mine receives all permits. If they don't need the Midas Gold Logistics Facility for an estimated 2-3 years at the minimum, then why do they want the CUP now? It is obvious that Midas wants the CUP right now in order to further advance their public relations message of "The Stibnite Gold Project has broad community

support.” Midas did exactly this when some communities entered into their Community Agreement, and they will do it again if the CUP 20-12 is approved.

The Commission rightly avoided acting on the Community Agreement until the Commission has a chance to see what the approved alternative for the Stibnite Gold Project looks like. The Commissioners rightly wanted to see the analyses of the project before they took any action. This Commission must avoid becoming part of Midas’ public relations and investor advertising efforts by denying the CUP.

**3) Public perception** — Approval of this CUP will be viewed by the public as an endorsement of the Stibnite Gold Project. If the CUP is approved, there will be no way to avoid this public perception, and Midas will capitalize on it. Approval of the SGPLF at this time will taint future County decisions about the Stibnite Gold Project.

**4) The Stibnite Gold Logistics Facility is not consistent with the Comprehensive Plan** — The Stibnite Gold Project Logistics Facility will stand in stark contrast with the rural, forested, and agricultural nature of Warm Lake Road.

**5) Approval of the CUP will have the effect of turning the first 8.5 miles of Warm Lake Road into an industrial corridor.** Approval of the SGPLF in this location will open the door for all kinds of industrial development along that road. If the Stibnite Gold Project is developed as proposed, many ancillary industrial businesses will arrive to support the Stibnite Gold Project. If a precedent is set by allowing the SGPLF on Warm Lake Road, other businesses, whether connected to the Stibnite Gold Project or not, will likely locate there also.

**6) Hazardous materials** — Midas claimed, and at least one P & Z Commissioner repeated, that, “The Stibnite Gold Project Logistics Facility assay lab will have chemicals like those in a high school chemistry lab.” Well that may be true for the lab, but it ignores the real hazard, which is: Many of the chemicals and hazardous materials and fuels destined for the mine will spend time at the Stibnite Gold Logistics Facility.

A list of those substances and quantities is missing from the CUP application. Midas could have included this list in the CUP application, but they chose not to. I include a partial list of substances and quantities to be shipped to the mine site per year. This list is from the Stibnite Gold Project DEIS, Table 4.7-1.

Diesel fuel	5,800,00 gallons per year
Gasoline	500,000 gallons per year
Propane	560,000 gallons per year
Ammonium nitrate (explosive)	7,300 tons per year
Explosives	100 tons per year
Sodium cyanide	3,900 tons per year
Methyl isobutyl carbonyl	55,000 gallons per year
Nitric acid	115,000 gallons per year

The P & Z Commission concluded that, “There is little concern of chemical spills at this site since most chemicals will go directly to the site.” (I presume, but am not sure, that the last referenced “site” means the mine site).

There is no evidence presented that this is true, nor does the P & Z make this a condition of approval. The claim that these hazardous substances and fuel will not spend time at the SGPLF is simply not credible.

Hazardous substances and fuel will surely spend a lot of time at the Stibnite Gold Project Logistics Facility in the winter when the proposed 8,000 ft. elevation Burnt Log road to the mine cannot be kept open. When the trucks arrive at the Stibnite Gold Project Logistics Facility and the road is impassable, the trucks will stay at the Stibnite Gold Project Logistics Facility.

Where is the plan for safely dealing with a bulk carrier full of ammonium nitrate or other hazardous substance sitting in the parking lot of the Stibnite Gold Project Logistics Facility for days or weeks? This scenario is not a possibility — it is a near certainty — and it has to be fully addressed before the CUP is approved. The application includes only a plan to make a plan. That is not enough. The ordinance requires — and the public deserves to know — exactly what chemicals, in what quantities, how they are packaged, how they will be warehoused, for what periods of time, and who will respond to a spill, fire, or explosion, and what that response will be. For this omission alone, the Commission should return the application as substantially incomplete and deny CUP 20-12.

I ask the Commission to overturn the P & Z's approval of CUP 20-12.

Thank you for the opportunity to comment.

Charles Ray  
McCall, ID

[marm@frontiernet.net](mailto:marm@frontiernet.net)

From: Joseph Fox <jwfxox@gmail.com>  
Sent: Monday, September 7, 2020 4:30 PM  
To: Valley County Commissioners <commissioners@co.valley.id.us>  
Subject: Appeal of CUP Midas Gold Logistics Facility

Dear Commissioners:

I was a smokejumper for the U.S Forest Service for 22 years, serving most of that time out of McCall. In that role I defended Idaho's pristine waterways, forests, and wildlife. I still own my house in McCall and bring my family there every summer and winter to enjoy the unparalleled natural outdoors. I am appalled that the Valley County PZC approved a Conditional Use Permit for the Stibnite Gold Logistics Facility and urge you to overturn it in the pending appeal.

Granting this permit contravenes the PZC officials' clear duty to uphold the county's comprehensive land use plan. The formal appeal documents and other comments speak to those grounds, and I endorse those positions. But here I want to bring your attention to your public trust duty, firmly engrained in Idaho constitutional law. See Reed, Scott W., THE PUBLIC TRUST DOCTRINE IN IDAHO, *Environmental Law* 19, no. 3 (1989): 655-74, <http://www.jstor.org/stable/43265889>. The essence of this principle is so basic. It holds that Idaho citizens, not Midas Gold, are the beneficiaries of an enduring public trust containing the vital resources of the state. State agencies and their derivative bodies must act as trustees, rather than invoke their vested public authority to act as the local allies of a private industry. The PZC officials are charged with protecting the county's resources for the benefit of the public beneficiaries (present and future generations of citizens), and they must meet the highest degree of fiduciary care. As the Supreme Court of Idaho has made clear, the strict fiduciary obligations of the public trust "at all times forms the outer boundaries of permissible government action with respect to public trust resources." *Kootenai Environmental Alliance v. Panhandle Yacht*, 105 Idaho 622 (1983).

This principle requires the Valley County PZC (because it has jurisdictional duties that affect the quality of navigable waters as well as fisheries and wildlife) to protect Idaho's vital natural resources for present and future generations of citizens. In this case, the PZC violated not only its duty to protect the crucial public trust resources that belong to the people of Idaho, but it violated the very basic level of care — and obviously too, the duty of loyalty - that binds any trustee. The PZC conferred a conditional use permit before even ascertaining the effects of this huge facility on the water, fisheries, wildlife, and air resources. Trustees must adhere to the duty of prudence and caution. To grant a CUP before even seeing the final plan and understanding the full impacts is, by definition, a violation of the public trustee's duty of prudence and caution. The decision must be overturned on that ground alone. But in addition, as public trustee, the PZC must exercise undivided loyalty to the people of Idaho and not make any decisions for the primary purpose of favoring a private industry applicant. The duty of loyalty towards public beneficiaries is the crux of any public trust. Here, the record of the P&Z Commission's decision shows that the Commission made a decision to favor Midas Gold's pursuit of its mine, rather than to carry out its fiduciary responsibility to the public. The record shows that the PZC was primarily motivated to issue the permit so as not to "hinder [Midas's] progress" and to help Midas proceed "to the next step." Notice of Appeal at 2. The record as

quoted in the Letter of Appeal presents this astonishing rationale for granting the permit to help Midas:

If we approve it, then it moves it to the Commissioners. It gets [Midas] to the next step. . . . Or if we make them put it off until the EIS is approved, then we're going to start over. It will get appealed. It will go to court. And then they're out another year and a half. We're hindering their progress. That would be a bad deal. Notice of Appeal at 5.

In addition to this rationale being patently arbitrary and capricious in violation of the law - as Idaho's land use laws fail to establish the applicant's haste as a reason for issuing a permit — it represents a flagrant violation of the Commission's public trust duty of unwavering and exclusive loyalty to the public. As courts have made clear, the government violates its fiduciary duty when it decides for the "primary purpose" of "benefit[ing] a private party." *Lake Michigan Federation v. United States Army Corps of Engineers*, 742 F. Supp. 441 (N.D. Ill. 1990). The entire purpose of the public trust is to ensure fidelity to the people, to counteract the potentially corrupting influence of private parties on public officials who hold tremendous power over crucial public resources.

I request that the County Commissioners, as the supervisory body, conduct a full and complete internal fiduciary audit of the process and deliberations that governed the P&Z Commission's decision and also examine the context of each individual decision-maker to determine if there was a potential for bias or conflict of interest created by connections with, or interactions with, Midas Gold or its many representatives.

Finally, as you know, the Midas gold mine project is amidst a full environmental review under NEPA, and Valley County is a partner in a memorandum of agreement with federal and state agencies as to how the NEPA process will be organized. The proposed Stibnite Gold Logistics Facility is an integral part of the project design as a whole - a project that very well may be denied after the full environmental review process ends. It is irrelevant for NEPA's purposes that the project is on private land, for the cumulative effects review under NEPA must reach to connected activities on private land. The federal review role, while primarily triggered by the mining plan, would extend to "federalize" these corollary components under your land use jurisdiction. The CEQ regulations require federal analysis of non-federal actions that are "interdependent parts of a large action and depend on the larger action for their justification." 40 CFR 1508.25 (a)(1)(iii). Allowing any sort of permit for this corollary facility — the Gold Logistics Facility -- is an impermissible "irreversible and irretrievable commitment" disallowed under NEPA prior to a Record of Decision based on a final EIS. As party to the multi-agency agreement, you are bound by that elementary principle of NEPA. The issuance of the CUP was premature and must be overturned.

Thank you for your consideration of my comments. Please inform me of further action in this matter.

Joseph W. Fox

From: Fox, Conner Sage <foxcon@oregonstate.edu>  
Sent: Monday, September 7, 2020 10:14 PM  
To: Valley County Commissioners <commissioners@co.valley.id.us>  
Subject: Deny Conditional Use Permit for Stibnite Gold Mine

Dear County Commissioners,

I am a 22 year old fisheries technician, an avid outdoorsman, and a resident of McCall. I greatly enjoy fly fishing, snorkeling, and backpacking in the area around McCall, and I feel blessed to live in an area surrounded by such natural beauty. I write this email to express my strong opposition to the recent approval of the Conditional Use Permit for the Stibnite Gold Logistics Facility.

This planned facility threatens to destroy a peaceful farmland, seriously hinder water quality in an important salmon waterway, increase traffic and disturbance, lower homeowners land value, and taint the otherwise tranquil atmosphere of Valley County. Approving the facility goes against what the county commission is structure and obligated to do - manage county lands and property for the greater good of county residents. This project would benefit only a select few, while seriously impacting all other residents of the valley and seasonal visitors. Furthermore, the facility cause irrevocable harm to a unique and beautiful watershed.

I strongly encourage you to defend the interests of your constituency, rather than succumb to the pressures of corporate lobbying on this issue. As a landowner and resident of McCall, I will be truly appalled if you do not overturn the approval in the appeal process.

Thank you for your consideration.

Sage

--

Sage Fox

OSU Triathlon Club President

OSU American Fisheries Society Student Liaison

foxcon@oregonstate.edu

(541) 914-3731



From: Maura Goldstein <maura.goldstein@gmail.com>  
Sent: Monday, September 7, 2020 9:00 PM  
To: Valley County Commissioners <commissioners@co.valley.id.us>  
Subject: Stibnite Gold Logistics Facility

Dear Valley County Commissioners,

I am writing to express concern regarding the Conditional Use Permit filed by Midas Gold for a Stibnite Gold Logistics Facility on Warm Lake Road. I think that approval of the construction of this facility is incongruous with many of the goals put forth in the Valley County Comprehensive Plan.

Development of the SGLF is inconsistent with the County's goal of maintaining its rural character and maintaining scenic byways. Warm Lake Road is used by countless residents and visitors for year-round backcountry access. Warm Lake Road is also used by bicyclists, a proposition that becomes much more hazardous with the addition of truck traffic to and from the SGLF.

As with Midas's other proposals, there are many environmental concerns pertaining to the CUP. One is the proposal's plan to maintain wetlands between paved parking areas. This can in no way be seen as mitigation as runoff from the adjacent parking areas would surely pose a threat to wetland plants and animals.

It is clear that the authors of the Valley County Comprehensive Plan understand the importance of preserving the human and natural treasures of our County. The Plan puts the health and welfare of the citizens and this land first and highlights the importance of the historical character of the County. The SGLF represents a shift to an industrial future for Warm Lake Road and Valley County, one that ignores the value these areas currently hold as rural open spaces and recreation destinations. As long as we preserve the elements that make Valley County special, we won't have to rely on exploitative industry.

Thank you for your consideration,

Maura Goldstein

**From:** Becky Anderson <becky@idalaw.com>  
**Sent:** Monday, September 7, 2020 7:21 PM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>  
**Subject:** Please DENY the CUP for Stibnite

Please DENY the Conditional Use Permit for the Stibnite Gold Mine Logistics Facility. This is a horrible mine and would destroy such a beautiful part of Idaho. Listen, we need to protect nature, not continue to destroy it. Enough is enough. People won't have jobs and money if we destroy the foundation of nature. Just please, do what the people want and protect this place from the mine.

Thank you.

Rebecca Anderson

**Shareholder**  
**Rebecca B.W. Anderson, Attorney**  
**Licensed in Idaho, Oregon and California**  
Jones Williams Fuhrman Gourley, P.A.  
225 North 9th St., Ste 820  
Boise, ID 83702  
P.O. Box 1097  
Boise, ID 83701  
Telephone: (208) 331-1170  
Facsimile: (208) 331-1529  
[becky@idalaw.com](mailto:becky@idalaw.com)  
[www.idalaw.com](http://www.idalaw.com)

From: Linda Jarsky <lindajar@msn.com>  
Sent: Monday, September 7, 2020 9:53 AM  
To: Valley County Commissioners <commissioners@co.valley.id.us>  
Cc: dmiller@co.valley.id  
Subject: Midas Degradation of a Higher Value

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I am passionately and profoundly opposed to the degradation of a landscape such as that to be cherished on the South Fork of Idaho's celebrated Salmon.....for gold. For gold! FOR GOLD???

What does Idaho stand for if not pristine outdoors?

Linda Jarsky  
1607 N Davis Ave.  
McCall ID

**From:** laura bechdel <earthjive@gmail.com>  
**Sent:** Monday, September 7, 2020 10:07 AM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>  
**Subject:** Appeal of CUP 20-12

Hello esteemed Commissioners,

My name is Laura Bechdel and I live at 771 Knights Road in McCall. I write to urge you to seriously consider the appeal made recently by Save the South Fork Salmon regarding the Conditional Use Permit (CUP) 20-12 which the Valley County Planning and Zoning Commission granted for the Stibnite Gold Logistics Facility. The P&Z's approval was inappropriate and premature. There are many reasons for you, as Commissioners, should revoke/invalidate CUP 12-20 for the Midas Gold facility. Here are several:

1. Safety hazards - Midas Gold has not disclosed the function of the facility, specifically regarding what type and quantity of hazardous chemicals will be stored or transported to and from this location. Air, water, and land resources are sensitive, and dangerous toxins can quickly travel from this facility to nearby areas where Valley County residents live and recreate.
2. Timeliness: As the DEIS for the Stibnite mining project is currently under review and analysis, and the Forest Service is accepting feedback on the DEIS, an approval of a Midas Gold Logistics Facility is premature. If the Forest Service requires restrictions on the mining project which prompt Midas Gold to opt not to pursue the mining as planned, the facility will already have an ecological impact on a large swatch of land.
3. Inconsistent with Valley County goals: the Midas Gold facility on Warm Lake Road is not aligned with the Valley County Comprehensive Plan (see 'Purpose' p.4-5). First, the facility will impact the scenic nature of the Warm Lake Road, where many travel to and from backcountry destinations, bringing in critical dollars from outdoor tourism as visitors stop in McCall, Donnelly, and Cascade on either end of their adventure. The Comprehensive Plan specifically works to "ensure that the economy of the state and localities is protected" and to "ensure that the development on land is commensurate with the physical characteristics of the land". Other purposes include: "to protect fish, wildlife, and recreation resources" and "to avoid undue water and air pollution". Approval of a CUP for the Stibnite Gold Logistics Facility opens the door for other industrial development, which could have a negative snowball effect on this pristine area. For these reasons, the Midas Gold logistics facility is incompatible with the Valley County Comprehensive Plan.

Thank you for taking the time to read my thoughts. I strongly urge you to thoughtfully consider Save the South Fork's appeal regarding the Conditional Use Permit, and to invalidate the Planning and Zoning Commission's approval of CUP 20-12.

Respectfully,

Laura Bechdel  
[earthjive@gmail.com](mailto:earthjive@gmail.com)  
771 Knights Road  
McCall, ID 83638

From: Melissa Newell <meli.newell@gmail.com>  
Sent: Thursday, July 9, 2020 4:08 PM  
To: Cynda Herrick <cherrick@co.valley.id.us>  
Subject: Public Comment from Lynn Lewinski

Dear Planning and Zoning Commission:

The C.U.P. 20-12 proposal for SGLF assumes the approval of a project which does not have a completed DEIS or mandatory permits in order. It is out of sequence.

The industrial impact is unsettling for the area, as it is industrial and not compatible with the rural and scenic aspects. It presents an unsightly and unsafe use of lands that will permanently be destroyed. This does not fall within the guidelines of the county master plan.

Our rural areas will not ever be the same with this wasteland development.

Hazardous materials should never be allowed into this area, for any reason. Explicate detail should be presented to the public prior to any further discussion on this matter.

That a P&Z member is part of the company proposing this seems wrong on so many levels.

The bias of influence for staff and public has to be addressed.

Greed motivates this unprecedented project.

In representing the concerns of our community, do not support this proposal.

With regards,

Lynn Lewinski

September 7, 2020

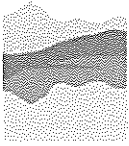
TO THE VALLEY COUNTY COMMISSIONERS:

PLEASE DENY C.V.P. 20-12!  
THE STIBNITE GOLD PROPOSAL FOR LOGISTICS FACILITY  
OUT OF SEQUENCE AND PROTOCOL, THERE ARE MANY  
UNANSWERED, VAGUE AND UNREASONABLE ASPECTS  
THAT NEED TO BE CLEARLY ADDRESSED.

THIS PROPOSAL DOES NOT FIT IN OR CONTEMPLATE  
THE SCENIC BY-WAY MASTERPLAN AND LAND-USE,  
THE TRANSPORT AND STORAGE OF HAZARDOUS  
MATERIALS HAS BEEN UNCLEARLY EXPLAINED  
TO THE PUBLIC, THIS IS A DANGER THAT NEEDS  
TO BE FULLY EXPLAINED AND UNDERSTOOD.  
ERROR ON THE SIDE OF CAUTION AND DENY THIS,

SINCERELY,

LYNN LEWINSKI  
MCALL RESIDENT



IDAHO  
CONSERVATION  
LEAGUE

208 345.6933 • PO Box 844, Boise, ID 83702 • [www.idahoconservation.org](http://www.idahoconservation.org)

September 8, 2020

Valley County Board of Commissioners

219 N. Main St.

Cascade, ID 83611

Sent by email to: [commissioners@co.valley.id.us](mailto:commissioners@co.valley.id.us), [cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)

RE: Conditional Use Permit for the Stibnite Gold Logistics Facility

Dear Commissioners Hasbrouck, Maupin and Bingaman,

The Idaho Conservation League represents members in Valley County who are concerned about Conditional Use Permit 20-12 for the Stibnite Gold Logistics Facility. We recommend that you defer approving the application as submitted due to incomplete information from the applicant. We are particularly concerned about potential inconsistencies with Valley County's Comprehensive Plan. In considering this decision, the commissioners must also be aware of the requirement to avoid conflicts of interest.

We have reviewed the proposal and believe that this scale of industrial development is incompatible with maintaining open space and the rural and pastoral qualities of that area. In addition, the application fails to address how the facility will be utilized following the closure of the mine. Furthermore, this permitting will likely lead to additional development along this corridor that is also inconsistent with the Valley County Comprehensive Plan. The application fails to discuss or disclose the impacts of mine-related traffic (light vehicle, trucks, buses, etc.) on current transportation plans. We note that this facility will also likely have increased noise and light dramatically out of character from the surrounding area. The DEIS lays out multiple plans that describe alternative routes of material transport along and different traffic estimates associated with the operation of the mine. The logistics facility should be tailored to reflect the type of vehicles, volume of traffic, and the contents carried. We note that the specific details will

vary depending on which specific alternative that is selected. Furthermore, these details will change from month to month and year to year depending on the project sequencing that is selected. Before approving the CUP, Valley County should have a commitment from the Forest Service on which alternative or combination of alternatives will be selected, as this will determine the actual needs of the logistics facility. Valley County can make use of this additional time to establish local baseline traffic conditions, take a closer look at transportation risks, consider the actual effects of the project and propose CUP design features that could help avoid, minimize or mitigate these impacts. ,

Regarding site specific issues for the logistics facility, the large amount of impermeable surface and concentrations of oils and other materials from vehicles, as well as hazardous chemicals such as sodium cyanide, ammonium nitrate, diesel fuel, and dust from mining activities, could lead to high levels of mobilized contaminants on these surfaces following rainfall and snowmelt. We are particularly concerned about the proper management of contaminated stormwater during rain on snow events. Stormwater may also need to be treated as hazardous waste and may not be suitable for disposal in adjacent wetlands. We note that snow removal from this facility will also likely need to treat the snow itself as hazardous material and not sidecast it in an unmanaged area. While the applicant states they will truck grey water produced to an off-site facility, additional information is needed about where and how this hazardous material will be disposed of because transportation of this material may also pose safety and environmental risks.

We also note that mining-related facilities for even fully permitted projects have ended up not being utilized and in need of interim stabilization or even reclamation due to delays in mine financing. As we mentioned in our comments to the Planning and Zoning Commissioners, the Idaho Cobalt Project on the Salmon-Challis National Forest was a fully permitted project but delays in financing resulted in on and off-site infrastructure (pond liners, buildings, office spaces) not being utilized as intended and not being utilized or needing reclamation. We recommend that the county require a more comprehensive bonding and contingency plan in the event that this space is not utilized as intended.

Construction and use of this facility would likely not take place for a number of years as Midas Gold navigates the NEPA process. This gap in timing brings forth a number of potential conflicts with the Board's Comprehensive Plan and raises questions about the appropriateness of the Board's approval of the project at this time given the unknowns still associated with this proposal. The current composition of the Planning and Zoning Commission and voting board



may not be the composition at the time that this project is finalized, constructed and operational. Approval of the project now deprives the future board members of their authority to make a decision on the project at a time where crucial facts will be known. The fact that final project permitting is likely still several years out will also violate Valley County Code § 9-5H-8(B)(1) which requires “approval [of a CUP] shall be for a period of one year from the date of the hearing, after which time, the approval will expire and be null and void unless the applicant has substantially complied with the provisions thereof or has applied for an extension of time. . .”.

We realize that many citizens of Valley County have strong opinions about various aspects of the Stibnite Gold Project, including the Conditional Use Permit. We appreciate the difficult decisions that Valley County staff and Commissioners are asked to make based on information that may be sometimes incomplete. For the reasons cited above, we believe the uncertainties regarding which alternative will be selected for the Stibnite Gold Project and actual needs for the logistics facility should lead the Commissioners to defer on approving the logistics facility at this time.

Sincerely,

A handwritten signature in black ink that reads "John Robison". The signature is written in a cursive style with a large, looping initial "J".

John Robison  
Public Lands Director  
jrobison@idahoconservation.org

From: Kevin Studley <kevin@transition-lab.com>  
Sent: Tuesday, September 8, 2020 3:49 PM  
To: Valley County Commissioners <commissioners@co.valley.id.us>  
Cc: Douglas Miller <dmiller@co.valley.id.us>  
Subject: Public Comment on CUP 20-12

To Whom It May Concern,

Please accept my public comment regarding the Conditional Use Permit (CUP 20-12) for the Stibnite Gold Logistics Facility outside of Cascade. I would like to voice my concerns over the proposal for this project. The Warm Lake Road is a narrow corridor to access a spectacular part of Valley County. I frequent this area in the winter time as Big Creek Summit at the top of the road is nearly the only backcountry winter access for non-motorized use in the region. I, like many others, enjoy the access to the South Fork of the Salmon river for a multitude of outdoor pursuits. Of course, the delicious spring-fed water alongside the road is a vital resource to the community as well.

I feel as though the approval of the SGLF would begin an irreversible path of industrializing the Warm Lake Road. This proposal appears to contradict the goal "to retain the rural/small town character enjoyed by residents and visitors" as outlined in the Valley County Comprehensive Plan. The storage of hazardous waste materials adjacent to the Big Creek drainage is a major concern to me and it should be reevaluated.

I would urge Valley County Planning and Zoning to reconsider this proposal.

Sincerely,

Kevin Studley

**From:** Will Stubblefield <willstubb@gmail.com>  
**Sent:** Tuesday, September 8, 2020 3:46 PM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>  
**Subject:** Re: Copy of letter

On Thu, Jul 9, 2020 at 6:53 AM Will Stubblefield <willstubb@gmail.com> wrote:  
Hello Commissioners,

I'm writing to express my concern about the proposed Stibnite Gold Logistics Facility (SGLF) along the Warm Lake Road outside of Cascade. I believe this construction project would have irreversible impacts to the rural character of Valley County, which is stated as a goal in the Valley County Comprehensive Plan. Further, Midas Gold's proposal states that there will be no impacts to local wetlands, which is inaccurate.

I'm currently a resident of Teton County in Idaho, but have spent time from 2014-2016 as a resident of Valley County. I was a graduate student at the McCall Outdoor Science School and worked at the McCall-Donnelley High School as a classroom aide. My time as a resident of Valley county has given me strong ties to the community and I currently frequent Valley County to recreate, visit friends, and support the local economy.

I love the rural character of Valley County and believe this aspect is at the heart of the community and should be preserved. Like many other Idahoans, I spend time driving along the Warm Lake Road to access the South Fork of the Salmon Watershed. This place has an intrinsic value as a beautiful and natural environment and would be permanently altered by the proposed SGLF. Economically, the rural character of the Warm Lake Road brings people from across our state and our nation to communities like Cascade, Donnelley, and McCall. These campers, hunters, fisherpeople, off-road enthusiasts, hikers, and boaters choose to spend their time and dollars in Valley County because of this rural character and the access to Public Lands. This is a vibrant and sustainable economy that benefits our community and the proposed SGLF would diminish the experience that these individuals are seeking when travelling to Valley County.

Midas Gold's CUP at Impact Report 2-4, 2-7 is inaccurate and misleading when reporting that there will be no impacts to local wetlands. This reporting disguises the project as benign to the local environment and neglects to fully disclose the negative impacts to surface water, wetlands, and riparian areas. Again, the impact of the proposed SGLF will not only damage the local environment but will leave lasting damage to a resource that is critical and connected to the people of Valley County. The SGLF will include large areas of impervious surfaces including a 300 car parking lot. Impervious surfaces like this are known to cause increased speed and volume of storm runoff delivering pollutants like sediment, chemicals, and petroleum products directly into local waterways. Although Midas Gold Reports "undisturbed wetland areas will help break up the parking areas and building sites," two of the three wetlands, which are both significantly larger than the third, will be surrounded by impervious surfaces. Fragmentation of these wetlands by large areas of impervious surfaces will have a significant impact on the health and function of these areas vital to our watershed.

The proposed SGLF will have lasting and negative impacts to the community of Valley county and I urge you to reject the Midas Gold Conditional Use Permit (CUP 20-12) to protect the interests of the people of Valley County.

Sincerely,  
Will Stubblefield

--

*Will Stubblefield*

"Sentiment without action is the ruin of the soul." - Edward Abbey

**From:** Marilyn Olson <mjolson71@hotmail.com>  
**Sent:** Tuesday, September 8, 2020 1:57 PM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>  
**Subject:** Appeal of the CUP granted by Valley County P & Z

To Whom It May Concern:

The approval of Midas Gold's CUP application granted by Valley County P & Z to build a 25-acre complex on vacant land on Warm Lake Road seems inappropriate as it is not consistent with Valley County's Comprehensive Plan. This CUP application lacks any disclosure of the type and quantity of hazardous chemicals that will be transported or stored at this facility. There is the possibility that this could create a safety risk for anyone who travels on Warm Lake Road.

Thank you for your time and consideration,

Marilyn Olson  
P.O. Box 455  
890 Timber Ridge Ct  
McCall, ID 83638

**From:** Steve Jones <sjones@2ndhomes.com>  
**Sent:** Tuesday, September 8, 2020 1:15 PM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>  
**Subject:** supporting the Appeal of CUP 20-12 for Midas Gold Logistics Facility

Dear Commissioners

I am writing to say I do not support the Midas Gold CUP application to build Midas Gold's CUP application to build an 25-acre industrial complex on vacant agricultural land on Warm Lake Road with no plan on when construction would even start and well before you know what the final plan and impacts of the Stibnite Gold Project will be. P&Z's approval is not consistent with the Valley County's Comprehensive Plan; the proposed logistics facility is incompatible with existing land uses, and P&Z's decision fails to take into account or even acknowledge the many issues raised in comment letters opposing the project.

This area is at present wooded area with lots of wildlife and access to the many recreation activities in the area including hunting, ATV and more. To have a commercial venture in this area is not what we need in our new recreation economy of Valley County. We have been moving from a extraction based boom and bust business in Valley county to a much more stable economy with recreation, second homes and vacation visits.

The P and Z was wrong to approve CUP 20-12 due to the lack to reasonably address the environmental, economy and social impacts and did not propose reasonable mitigation as required by Valley County Code for CUPs.

Moreover, Midas Gold's CUP application lacked any disclosure of the type and quantity of hazardous chemicals that will be transported or stored, even if temporarily, to and from the logistics facility and through our local communities. This lack of disclosure creates a serious public health and safety risk for those that travel on and live around Warm Lake Road.

There are many other issues the Appeal address and I support all of those items in the Appeal filed July 27, 2020. So please put me down as apposed to this CUP application.

Thank you for all your hard work.

Best regards

---

STEVE JONES  
PARTNER | REALTOR®

[sjones@2ndhomes.com](mailto:sjones@2ndhomes.com)  
Cell 208-634-6497  
[www.2ndhomes.com](http://www.2ndhomes.com)

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SEP 08 2020

July 15<sup>th</sup>, 2020

RE: Valley County Conditional Use Permit 20-12 Stibnite Gold Logistics Facility

Valley County Planning and Zoning,

Thank you for the opportunity to comment on C.U.P 20-12. I am opposed to this CUP for the following reasons:

- This CUP is pre-decisional, this project is still in the planning stage and has numerous permits, Forest Service approvals and lawsuits pending. This project is still taking shape and a long way from being final. When the Forest Service has a Record of Decision (ROD) regarding this project then this CUP should be brought forward for review.
- Conflicts of interests- Valley County made the right decision when they opted out of signing Midas's Gold Community agreement. I am sure it was at the bequest of your office of legal counsel that a permitting agency should not be advocating for an outcome for a permittee. Johnna Defoort who is an employee for Midas Gold and is also on the Planning and Zoning board should reclude herself from decisions regarding this project for the same reason. While not illegal, the governor of Idaho selling the property being evaluated under this CUP to Midas Gold does not pass smell test.
- Hazardous Material Storage: Mines use huge amounts of hazardous materials for mine operations. Because this site will be a storage site for chemicals being transported to the actual mine, a list of chemicals and amounts of hazardous materials being proposed for storage should be included in the CUP. The chemicals have the potential to be released into the environment (spill, wildfire, explosion) and the public has a right to know the risks associated with storing materials at this location.
- Waste Water- With hundreds of Midas Gold employees using this staging site during transport to the mine more details should be provided regarding how wastewater will be trucked to an offsite wastewater facility.
- Impacts to wetlands: The large parking lot proposed for 300 vehicles has the potential to impact surrounding wetlands and surface water. During spring melt and rain events the impervious parking lot has the potential to concentrate chemicals and oil. More information is needed to evaluate how this CUP will impact surface water and wetland resources.

This CUP in its current form should be rejected until the Forest Service ROD is out. The ROD decision will shape many aspects of the logistic facility.

Sincerely,

**Wesley Keller**  
Digitally signed by Wesley Keller  
DN: cn=Wesley Keller, o, ou,  
email=wesleyk@nezperce.org, c=US  
Date: 2020.07.15 10:33:28 -0700

**From:** Thomas Welty <thomaswelty@gmail.com>  
**Sent:** Monday, September 7, 2020 8:17 AM  
**To:** Valley County Commissioners <commissioners@co.valley.id.us>  
**Cc:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** Re: Valley County Conditional Use Permit 20-12 Stibnite Gold Logistics Facility.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Valley County Commissioners,

On July 9, 2020, I wrote to the Planning and Zoning Commissioners in opposition to the approval of the Conditional Use Permit 20-12 as noted below. There were four letters in support and 25 letters in opposition of the approval of CUP 20-12 and one person testified at the public hearing in support of the approval of the CUP, and five persons testified in opposition. The PZC approved the application (3 in favor, 1 opposed, and 1 recused) by motion made at the hearing which I believe was an arbitrary and capricious approval. For those reasons, I fully support the appeal of the Save the South Fork Salmon NGO (see attached). Please consider all the points raised in that document. Specifically, it is imperative that the approval of this CUP 20-12 be postponed until the final EIS is reviewed and approved by the Forest Service and the State of Idaho. Thank you for carefully considering all the points included in the Save the South Fork Salmon appeal.

*Thomas K. Welty*

Thomas K. Welty, MD  
939 Flynn Lane  
McCall, ID 83638  
E-mail [thomaswelty@gmail.com](mailto:thomaswelty@gmail.com)

---

On 7/9/2020 5:05 PM, Thomas Welty wrote:

Dear Planning and Zoning Commissioners,

I am writing to oppose the approval of the Conditional Use Permit 20-12 for the proposed Stibnite Gold Logistics Facility. I am a retired family physician and have lived in McCall since 2007. Since then I have treasured the beauty of the Central Mountains of Idaho and am committed to preserving that beauty for future generations.

It is premature to approve a facility in which there has not been a release of the draft environmental impact statement for the proposed Midas Gold Project, yet. This facility will be an integral part of the overall project and for that reason, should not be approved until deficiencies are addressed and corrected and then reviewed in conjunction with review of the EIS.

Specifically, the proposal does not specify how the facility will protect water quality, surface water, wetlands and riparian areas that will potentially be adversely impacted by this large facility. Since this facility has a hazardous materials area, this is especially important.

I am concerned about the impact that this facility will have on access to areas and activities on the east side of Valley County: Frank Church Wilderness, Yellow Pine, South Fork of the Salmon River watershed. The heavy truck traffic on the Warm Lake Road will detract from stunning beauty of this area and increase the risk of serious traffic accidents involving large trucks and vehicles of people who come to enjoy this beauty. When such accidents occur, will this facility be able to provide emergency medical services, or will they be provided by Cascade/Valley County EMS. If the latter, it will be a burden on local resources. If approved, this facility would set a precedent for future industrial development along the Warm Lake road, which may include heavy truck traffic which will further detract from the beauty of this pristine area.

The Valley County Comprehensive Plan includes a goal to maintain the "rural/small town character enjoyed by residents and visitors," but having a Canadian company reap the profits of a gold mine and establish a large Logistics Facility is inconsistent with Valley County's vision as stated in the Comprehensive Plan. For these reasons, I strongly recommend that you disapprove of this Conditional Use Permit. Thank you.

*Thomas K. Welty*

Thomas K. Welty, MD  
939 Flynn Lane  
McCall, ID 83638  
E-mail [thomaswelty@gmail.com](mailto:thomaswelty@gmail.com)



**From:** Davis Cowles <dcowles@alzarschool.org>  
**Sent:** Saturday, July 18, 2020 12:32 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** CUP 20-12 Comments

Dear Ms. Herrick,

As a Cascade resident and high school educator, I am excited to exercise my voice regarding the CUP 20-12. I am opposed to the Stibnite development.

My primary reasons for this are 1) that it will impact a beautiful and valuable area in which I recreate regularly and facilitate learning experiences for my students and 2) that the application is vague, incomplete, and misleading. I do not have reason to believe that Midas Gold has our community's best interest in mind, or that they will uphold their word. Thank you for your time in reading my comments.

Kind Regards,

**Davis H. Cowles**  
Alzar School  
Spanish Teacher | Bon Vivant  
he/him/his  
[www.alzarschool.org](http://www.alzarschool.org)

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Valley County Board of County Commissioners

I wish to comment on the appeal by Save the South Fork Salmon, Inc. on the decision by the Valley County Planning and Zoning Commission to approve the Midas Gold Logistics Facility.

My name is Bill Coughlin and I live in the Eagle Nest Subdivision, off of the Warm Lake Highway. I have lived in Valley County for ten years. I am a retired gold miner with a degree in Metallurgical Engineering and over 40 years of experience in building and operation precious metal mines. I was a registered Professional Engineer in Idaho and Nevada, now retired.

The appeal by Save the South Fork Salmon, Inc. appears to be based on opposition on the gold mine, not the Logistics Facility. The proposed Logistics Facility is not in the South Fork of the Salmon River drainage. If Save the South Fork Salmon, Inc. opposes the gold mine they have they can voice their objection to the Forest service with comments on the draft Environmental Impact Statement.

**Reasons for Appeal:**

**PZ Commission approved a project where it could not reasonably address or propose mitigation of the potential environmental, economic, or social impacts.**

The proposed Logistics Facility will consist of: an office building, a warehouse for mine supplies, a parking lot, and an assay lab. The assay lab will generate waste that will have to be transported off site, the warehouse will store some hazardous material that will have to be stored properly, the local hardware store will probably store more hazardous material.

The proposed Logistics Facility will have an economic impact on Valley County, all positive. The proposed Logistics Facility is planned to employ 12 salaried personal, all of which will probably be hires from outside of the county, and 26-30 hourly employees, some of which will probably be hired from Valley County. These will be full time year round position with full benefits and higher pay than most jobs in Cascade.

From my experience, there will be some social impacts. The young people of Valley County will not have to leave the county to find a good paying job. Some of the current business owners will have to pay their workers more to keep them. There may be an increase in divorces as local woman find they can earn enough money to live comfortably without their husbands.

**There are discrepancies in traffic information and all traffic future traffic volume was not considered.**

I have not seen the above mentioned traffic information but can put together a guess based on the Midas "Plan of Operations" from the Draft Environmental Impact Statement. The 12 salaried employees of the proposed Logistics Facility will probably generate 12 round trips a day, 5 days a week, during daytime hours. Some, 8, of the hourly employees will probably work a straight day shift 5 days a week, which will result in up to 8 round trips per day, if they do not carpool. Some of the hourly workers, 16, will most likely work 12 hour shifts to maintain 24-7 coverage that will add 4 round trips in each day and 4 each night. The estimated up to 670 workers at the mine site will work two weeks on then be off for two weeks, resulting in up to 335 workers at the mine site at any one time. If Midas schedules worker change outs Monday through Friday that will amount to up to 34 mine workers each day driving to the Logistics Facility, half during the day and half during the night. With no carpooling the increase in light vehicle traffic on Warm Lake Highway will be around 62 cars per day, spread out over 24 hours. The "Plan of Operations" estimates up to 32 heavy trucks per day to deliver needed supplies, 2 or three per hour. During the summer months there is a lot more traffic from people recreating in the mountains during the weekends. The road improvements proposed by Midas should improve traffic conditions, especially for weekend traffic.

**The facility is out of character with the existing area and not consistent with the Compressive Plan.**

The Save the South Fork Salmon, Inc. is correct on this item. There are no existing mining Logistics Facility's in the area. Midas plans to leave a barriro of natural vegetation between the Logistics Facility to help hide the facility from the Warm Lake Highway. When the Compressive Plan was developed the people that wrote it probably did not know that there was a possibility of a large gold mine being developed in Valley County. In my opinion the proposed location is by far the best place to put the Logistic Facility.

**The impacts on affordable housing were not considered.**

Affordable housing is a very vague term. The employees of the mine should earn enough to find housing. Prices of existing homes will probably increase, new home construction will probably increase, and some people that do not work for the mine may not be able to find affordable housing. Most of the workers at the mine site will most likely commute from outside of Valley County. They would drive to the Logistics Facility, put in their 14 day work schedule, and then drive

back to their homes. Would a few new trailer parks be the answer to this problem?

**Transportation of hazardous material through the County was not adequately addressed or mitigated.**

I will talk about cyanide. Midas will most likely purchase the needed cyanide from Dupont. In my experience with Dupont, they will own and have responsibility for the cyanide until it is delivered to the mine site. Dupont has been delivering cyanide for a long time and is an expert on doing it safely. In the unlikely chance of an accident Dupont will be responsible for any and all damages. Dupont knows how to deliver cyanide safely, if they did not they would have gone out of business a long time ago. Other hazardous material would be treated the same. Small amounts of hazardous material may be hauled by Midas Gold from the Logistics Facility to the mine site.

I do not work for Midas Gold, my only interest is what is best for Cascade and Valley County.

From: Sue Leeper <sueleeper2010@gmail.com>  
Sent: Saturday, September 5, 2020 8:06 PM  
To: Cynda Herrick <cherrick@co.valley.id.us>  
Subject: Stibnite Gold Logistics Facility Conditional Use Permit

Cynda,

Please accept the letter of support below.

To whom it may concern,

We live a little over 1 mile south of the proposed logistic facility in Scott Valley. We are in support of the Valley County Commissioners approving the Conditional Use Permit for Midas Gold's Stibnite Gold Logistics Facility. We believe the logistics facility is consistent with the Valley County Comprehensive Plan to "promote and encourage activities which will maintain a strong, diversified economy" and maintain the important role of mining in the local economy. We would like to see additional jobs come to the Cascade area as well.

We are in favor of Midas Gold upgrading the existing Idaho Power owned powerline through our property. We believe the upgraded powerline will provide reliable power at no additional cost to us or other Idaho Power customers. I also think it's a good idea to move the existing substation from my neighbor's property to the logistics facility.

Lastly, We are in favor of Midas Gold using private money to upgrade public infrastructure. I'm speaking specifically to their proposed upgrades at Warm Lake Road and State Highway 55. We believe the changes they are proposing will be a benefit to those of us that use that intersection.

In conclusion, we would both appreciate it if you would approve the conditional use permit for Midas Gold to move forward with breaking ground on the proposed facility just a little north of us. Midas Gold has moved into our community and they have become very much a part of it. They have supported our youth in the 4-H program, sponsored rodeo events and much more. We both feel strongly that it is time for us to support them.

Sincerely,

Bruce and Sue Leeper

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To the Valley County Commissioners;

Considering the property of Midas Gold staging area in Scott Valley. First and foremost, this is not Midas putting the cart before the horse as some have suggested. This is simply good planning. This staging and office area will be the first thing necessary once mining is approved. Valley County's commissioners should not obstruct or deny this request. It's fully within the regulations of Valley Co. P&Z and has been approved. Once complete, this property will go almost unnoticed by neighbors and the traveling public. There will be no dangerous chemical storage as some have falsely alluded to. There is no environmental danger whatsoever. Traffic will not be obstructed by employee shift changes on HWY 55, a big plus. This is a well thought out plan.

The best reason to approve this site usage is the fact, if the mine doesn't get permit approval through the forest service process, this site won't be built. If they do get permitted, Cascade and Valley county will get a huge economic boom from a project that is our only chance of ever of cleaning up the Stibnite brown field. No one else is going to do it! Chris and I both are requesting you approve this site for its proposed use!

Thank you; Dan & Chris Davis  
508 N. Idaho St  
Cascade, Idaho 83611

From: Mike Keithly <majmikekeithly@gmail.com>  
Sent: Saturday, September 5, 2020 3:41 PM  
To: Cynda Herrick <cherrick@co.valley.id.us>  
Subject: Fwd: CUP Letter

----- Forwarded message -----

From: Belinda Provancher <provancher@midasgoldinc.com>  
Date: Fri, Sep 4, 2020 at 4:03 PM  
Subject: CUP Letter  
To: majmikekeithly@gmail.com <majmikekeithly@gmail.com>

Attn: Valley County Commissioners

Re: Appealed Conditional Use Permit for Midas Gold Logistics Facility

My name is Mike Keithly and I have lived in Cascade for almost 20 years and live at 23 Joshua Drive off Warm Lake Highway. I am in favor of Midas Gold's Logistics Facility being located in Scott Valley it is the perfect place for it.

The appeal that was filed by Save the South Fork claims the approval of the conditional use permit was premature, this is unfounded because for Midas to get permitting going they needed to identify where the logistics facility would be located. Midas Gold is trying to do good things for this region and every step of the way Save the South Fork wants to shut it down. This logistics facility CUP should not be approved or denied based on someone's view of the project, it should stand on its own. The application appears complete to me.

Midas Gold appears to be doing all they can to reduce traffic on Warm Lake Highway, by consolidating loads, bussing employees and doing as much of this Monday through Friday so as not to impact recreational traffic. They are going to help pay for all of the upgrades to the roads, let them do this, it is less money out of the taxpayers pocket. The fact that they are providing some high paying jobs close to town for some of our citizens, is a great thing.

As for the VC Comp Plan, we want mining in Valley County, how does this go against the comp plan? This location will add some diversity to our workforce instead of just having tourism jobs and they will be full time with benefits, I think that is your job to encourage growth.

As for the hazardous waste, if they will have about the same amount of chemicals and hazardous waste as a high school lab, why are we even having discussions about this? Any time hazardous materials go down the road, the contractors will have to meet Federal, State and County prevention measures and rules.

Mike Keithly

From: ryan rambur <ryanrambur@hotmail.com>  
Sent: Tuesday, September 8, 2020 3:12 PM  
To: Cynda Herrick <cherrick@co.valley.id.us>  
Subject: Midas Gold CUP

Dear Valley County Commissioners,

I write today to urge you to please support the conditional use permit for the logistics facility for Midas Gold's proposed Stibnite Gold Project.

This is a company that has been working with local residents to design a plan to bring jobs and tax revenue to the region while mitigating the environmental impacts of the project. Placing the logistics facility here, is further evidence of their ongoing commitment to lessen traffic on the road.

This new facility will bring more than 40 full-time, well-paying jobs to Cascade. That's millions in more tax revenue for the region, which means more money for our community schools and public services. These jobs aren't the seasonal ones we mostly have in the region – they're designed to support a family for years to come, which is fantastic since Midas has made a commitment to hiring locally. So these jobs will go to neighbors.

Midas has already taken extraordinary steps to mitigate any impacts to the region from this project and has already invested millions in the community.

This project means so much to the region and I urge you to support this permit.

Sincerely,

Ryan Rambur

Donnelly Idaho



From: jennifer lou Hart <jennihart222@gmail.com>  
Sent: Tuesday, September 8, 2020 11:50 AM  
To: Cynda Herrick <cherrick@co.valley.id.us>  
Subject:

Dear Commissioners,

As the leaders of this community, we look to you to approve projects that will responsibly add to the economic wellbeing of Valley County. I strongly believe that the proposed Stibnite Gold Logistics Facility is a well thought out, comprehensive proposal that will improve economic prospects for many in Valley County and will not harm the well-being of this community.

First, Midas Gold specifically designed the logistics facility so that they could decrease the footprint of their operations and lessen traffic on public roads. The company plans to bus 90% of the workforce from this facility just outside Cascade. Not only will our community see less traffic with this facility, but this plan will also reduce emissions by lowering car usage and the amount of road dust.

Plus Valley County will also gain around 40 new jobs from this facility. And not just technical mining related jobs. There will be good-paying administrative and logistics jobs that could be filled by local residents.

I urge you to approve and issue a Conditional Use Permit for the Stibnite Gold Logistics Facility.

Sincerely,

Jenni Hart

From: Matt Rickert <backcountryrickert21@gmail.com>  
Sent: Tuesday, September 8, 2020 11:08 AM  
To: Cynda Herrick <cherrick@co.valley.id.us>  
Subject:

Dear Commissioners,

I would like to support the issuing of a conditional use permit for the proposed logistics facility right outside Cascade that will support future mining operations for the Stibnite Gold Project proposed by Midas Gold Idaho.

The Stibnite Gold Logistics Facility will be essential to support Midas Gold's plan of carrying out a sustainable and safe mining operation at Stibnite. It will also create a collection of good-paying jobs for members of this community, improving employment opportunities for families in this area.

First, the logistics facility is designed with safety and efficiency top of mind. Midas Gold has been a partner of this community for the last ten years and is committed to keeping their impact on the surrounding area as small as possible. That is why this facility is necessary. It will serve as a central hub for operations with 300 parking spaces to bus people up to site. Constructing a facility near Cascade will keep roads safer by reducing traffic along the main roadways we all use and that lead up to the Stibnite mining district. Plus, fewer cars on the road will reduce emissions, scaling back the company's environmental impact.

I hope we do everything we can to encourage this business to locate its supplementary facility and business activities in our area. Overall the project is a unique opportunity we cannot afford to pass up.

I believe the Stibnite Logistics Facility is consistent with Valley County's Comprehensive Plan and support the approval of all necessary permits for the construction of this facility. Thank you for your attention to this important topic.

Best,

Matt Rickert

Cascade, Idaho

September 4, 2020

Mike Fackrell  
223 Ponderosa  
Cascade, ID 83611

Ref: CUP for Midas Gold Logistics Facility

Valley County Commissioners  
P.O. Box 1350  
Cascade, ID 83611

Dear Valley County Commissioners:

As a Valley County resident, I am writing this letter in support of Midas Gold's request for a Conditional Use Permit (CUP) for their logistics facility on Warm Lake Hwy.

Midas Gold has taken steps above and beyond what is required of them to ensure that their project, including the logistics facility, has the lowest impact on our community. They have addressed issues such as traffic impacts, affordable housing, and potential hazards. For example, they have developed a plan to safely transport hazardous materials to and from the site.

Midas Gold has also ensured that their proposal fits in with the Valley County Comprehensive Plan and it meets several of the goals laid out in the Plan. One of the goals implicitly expresses that mining remains viable in Valley County's economy "if it meets environmental standards and complies with water quality goals." Midas' project has not only met these goals but has taken it a step further to ensure the best project possible.

Valley County cannot rely on tourism alone to keep this county going. Tourism is at its peak only three months of the year and relies heavily on part-time or seasonal positions. Midas' project will ensure full-time positions to many people and the logistic facility will especially provide Monday-Friday positions for locals.

Again, Midas Gold has gone above and beyond what is required of them to ensure their project has the lowest impact on our community while still stimulating our economy. It is my hope Midas' request for a CUP will be permitted.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Fackrell". The signature is fluid and cursive, with the first name "Mike" written in a smaller, more compact script than the last name "Fackrell".

Mike Fackrell

September 3, 2020

Shauna Arnold  
P.O. Box 401  
Cascade, ID 83611

Ref: CUP for Midas Gold Logistics Facility

Valley County Commissioners  
P.O. Box 1350  
Cascade, ID 83611

Dear Valley County Commissioners:

As a Midas Gold Board Member, I am writing this letter in support of Midas Gold's request for a Conditional Use Permit (CUP) for their logistics facility.

I know firsthand that Midas Gold has designed its plan for the Logistics Facility with the regions' best interest in mind. The facility site was chosen specifically for the project needs and to mitigate any potential environmental, economic, and social impacts on the surrounding area. For example, trees, vegetation, and adhering to Dark Sky recommendations on site will minimize visual impacts of the facility being seen from the highway.

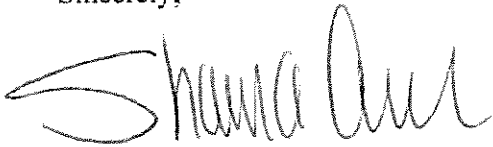
The facility will bring dozens of jobs closer to home by locating administrative, logistics, and lab staff near Cascade rather than at Stibnite. This provides for numerous M-F positions to allow for more diversity among our workforce and job opportunities more available to those who require a typical work week and live locally. The facility meets the objectives of the Valley County Comprehensive Plan (Plan) by bringing steady, year-round jobs that diversify the economic base of the county. It also meets the objectives in the Plan by maintaining the "important role of the timber industry, tourism, outdoor recreation, **mining** and agriculture in the local economy."

For those employees working at the Stibnite site, parking at the facility will provide a place for employees to gather and park prior to being shuttled to and from the project site. Midas Gold will be shuttling 90% of their workforce to the site, thus dramatically reducing emissions and traffic congestion on Warm Lake Rd. The out-of-town location helps to preserve the character and tourism functions inside the City limits of Cascade by not encumbering the City's infrastructure directly. For example, if the logistics facility were located within the City limits it would increase the vehicle and heavy truck traffic within the community.

The development of the Logistics Facility will provide for three intersection upgrades as well as a 30+ mile upgrade of the transmission lines. The proposal removes the existing Idaho Power substation (currently an eye sore) and places a new, modern substation behind the natural cover provided within the boundaries of the proposed site.

The Logistics Facility location balances the need to access the project site while providing the economic benefits to the surrounding communities and potential local employees. It is my hope Midas' request for a CUP will be permitted. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Shauna Arnold". The signature is written in black ink and is positioned below the word "Sincerely,".

Shauna Arnold

September 6, 2020

Kaylee Tuning  
P.O. Box 401  
Cascade, ID 83611

Ref: CUP for Midas Gold Logistics Facility

Valley County Planning and Zoning  
P.O. Box 1350  
Cascade, ID 83611

Dear Planning and Zoning Commissioners:

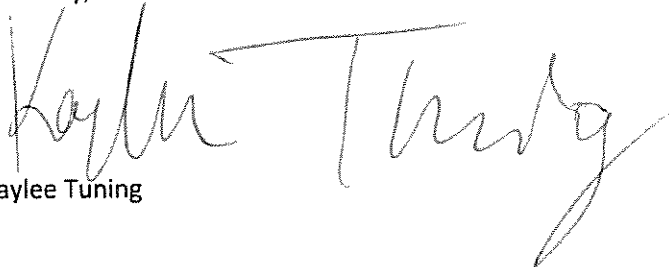
I am writing this letter in support of Midas Gold's request for a Conditional Use Permit (CUP) for their logistics facility.

I know firsthand that Midas Gold has designed its plan for the Stibnite project with the regions' best interest in mind. The proposed facility site is in an area where the County can mitigate any potential environmental, economic, and social impacts, which I believe Midas Gold has already taken into consideration and adequately addressed. The company plans to use the logistics facility as a collecting point to carpool a large percentage of their employees to the site during weekday hours only as not to add to the insane holiday and weekend traffic that exists in Valley County. These considerations would greatly minimize the traffic on Warm Lake Road and reduce vehicle emissions that damage our environment. This is just one example of how Midas Gold has applied local input to find ways to minimize negative impacts mining may have on local residents and the environment.

Permitting of the logistics facility now is not too soon. Midas is required to identify a particular site for a logistics facility in order to further obtain other permits. It is time we restore the Stibnite area and mine valuable materials while supporting our local economy, increasing our national security, and providing adequate environmental, health, and safety regulations for mine workers and surrounding residents.

It is my hope Midas' request for a CUP will be permitted. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Kaylee Tuning". The signature is written in a cursive, flowing style with a long horizontal line extending from the top of the "Tuning" part.

Kaylee Tuning

September 6, 2020

Taylor Tuning  
P.O. Box 401  
Cascade, ID 83611

Ref: CUP for Midas Gold Logistics Facility

Valley County Planning and Zoning  
P.O. Box 1350  
Cascade, ID 83611

Dear Planning and Zoning Commissioners:

I am writing this letter in support of Midas Gold's request for a Conditional Use Permit (CUP) for their facility on Warm Lake Hwy.

Midas Gold has designed its plan for the Stibnite project with the community's best interest in mind, including mitigating impacts at the logistics facility. They have provided a list of hazardous materials that will be transported on County roads to and from the logistics facility and described how these materials will be used and managed to mitigate any potential impacts. Also, the trucks hauling hazardous materials to the mining site from the facility will be escorted by pilot cars and emergency response vehicles. This is an excellent example of how Midas Gold has taken local input into account and found ways to not only minimize negative impacts to local residents but to also to our local environment.

Midas Gold is dedicated to investing in our local economy by providing locals well-paying jobs, but with that comes the issue of affordable housing. Midas has addressed the impacts of the project on this issue by helping to upgrade our local infrastructure, supporting new housing development projects, and paying higher wages so people can afford housing in the area.

Midas Gold has taken steps above and beyond what is required of them to ensure that their project is the best project it can be at the mine site and the logistics facility. It is my hope Midas' request for a CUP will be permitted.

Sincerely,



Taylor Tuning

**From:** Hunter Provancher <hunterprovo@gmail.com>  
**Sent:** Tuesday, September 8, 2020 3:33 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** Logistics Facility

Dear Valley County Commissioners,

As a resident of Cascade, I am writing to encourage you to approve the Conditional Use Permit for Midas Gold's Stibnite Gold Logistics Facility. Approving this facility will help bring new, well-paying jobs into our community and help diversify our local economy. I am 24 years old and need more opportunity than servicing food and working in hospitality. I want to raise a family here and tourism jobs are not going to allow that to happen. Midas Gold will provide that opportunity!

The Stibnite Logistics Facility is consistent with Valley County's Comprehensive Plan. In Midas Gold's application, the company laid out a clear plan to address any impacts associated with the Warm Lake Road facility, including lighting, waste disposal, setbacks and hours of operation. I urge you to uphold the decision made by the Planning & Zoning Commission, so we can recognize the potential benefits of this facility.

Thank you for considering my comments on the Stibnite Gold Logistics Facility.

Sincerely,  
Hunter Provancher



**From:** Scott Felton <swfelton@frontier.com>  
**Sent:** Tuesday, September 8, 2020 12:43 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Cc:** Valley County Commissioners <commissioners@co.valley.id.us>  
**Subject:** Support for Stibnite Gold Logistics Facility being located in Scott Valley

Valley County Commissioners,

We are writing in support of the Stibnite Gold Logistics Facility being located on Warm Lake Road in Scott Valley.

We strongly support Midas Gold. They have been transparent about their project, they're good neighbors, and they have been supportive of Valley County in so many ways for several years now.

We heartily believe that locating their logistics facility closer to the Cascade community, as opposed to the project site, benefits prospective employees by making a daily commute possible. The job opportunities that Midas Gold can provide, which include both living wages and benefits, are unheard of in this region, with the exception of working for the United States Forest Service or Cascade Medical Center.

We definitely do not believe that locating a facility like this within the City limits is desirable as it would increase traffic within the city limits, and Cascade is already too congested. Locating the facility within the city limits would unnecessarily increase the potential for vehicular and pedestrian accidents, especially because there are no traffic lights. We want the City of Cascade to remain quaint and friendly.

We also believe that arguments about the storage of hazardous waste, as mentioned by "*Save the South Fork*," is just another stall tactic; any hazardous material can be handled as safely to/from Scott Valley as to/from Cascade.

Thank you for listening to our thoughts.

Scott and Kelly Felton  
Press in the Pines  
33 Garrett Lane  
Cascade, ID 83611  
208-315-2449  
[swfelton@frontier.com](mailto:swfelton@frontier.com)

**From:** email team <5magicsmx@att.net>  
**Sent:** Tuesday, September 8, 2020 4:34:21 PM  
**To:** Cynda Herrick <councilmemberherrick@cascadeid.us>  
**Subject:** Midas Gold

Dear Commissioners,

I would like to express my support for the proposed logistics facility on Warm Lake Road that will support mining operations for Midas Gold Idaho's Stibnite Gold Project. The facility is a critical part of the company's distinctive plan to use modern, responsible mining to restore the environment up at the Stibnite mining district. I urge you to approve the logistics facility conditional use permit (CUP).

As I mentioned the logistics facility you are considering is a key piece of the \$1.1 billion investment into this region's economy. The facility proposed by Midas Gold will include an administrative office with assay laboratory, a warehouse, hazardous materials storage, and core sampling and storage building. As a result, this site is anticipated to create 42 new jobs close to Cascade. This is a solid economic contribution our rural community on top of the 500 jobs the Stibnite Gold Project will generate up at Stibnite. But unlike many of those jobs, these positions will be regular, Monday-Friday jobs that provide flexibility to workers who cannot do the two-week on-off positions at the mine. These jobs also represent a broadening of the company's workforce gives opportunity for those outside of the traditional mining community to join in.

Additionally, this facility has a specific purpose to help increase overall safety by reducing traffic up to the site. The facility will serve as a base to bus mine employees and to consolidate deliveries to the site. The storage warehouse will also consolidate loads and limit the number of trips along the roads up to site. It will also allow Midas to plot when the optimal time is to send those shipments to not disturb the community.

I hope this Commission will be able to recognize that there will be noteworthy benefits from this facility to our community as well as its necessity to promoting safety. Please approve the CUP for the Logistics Facility for the Stibnite Gold Project.

Sincerely,  
Larry and Carrell Morton