

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:

- 1. C.U.P. 20-07 Valley County Recycling Site:** Valley County is requesting a conditional use permit to centralize recycling. A fabric-covered span structure, 100ft x 72ft x 35ft high, may be installed over the recycling bins. A portable office building is proposed. An 8ft chain-link fence surrounding a 100ft x 100ft site is proposed. The site is five acres located directly west of a parcel owned by Valley County and used for the Road Department and a recycling baling facility. It is parcel RP17N03E038406 located in the SWSE Section 3, T.17N, R.3E, Boise Meridian, Valley County, Idaho. **Tabled from June 11, 2020. 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. There was none.

Commissioner Benton moved to remove from the table. Commissioner Cooper seconded the motion. Motion carried.

Chairman Defoort asked for the Staff Report. Staff presented the staff report and a letter from Bob Hunt (**exhibit 1**).

Chairman Defoort asked for the applicant's presentation.

Gabe Stayton, Valley County Treasurer representing the applicant, provided testimony telephonically. He made the following comments:

- Presented the landscaping plan.
- Has seen Mr. Hunt's letter and agrees with the Spruce, etc.
- There will be a temporary irrigation system until landscaping established.
- Will be 8' chain link fence.
- Best use of public funds are the sprung structures vs. a permanent structure. Timeline would be 1-3 years.
- County feels strongly that the centralized recycling will save money.

Commissioner Allen asked why we need a temporary structure vs. a more permanent structure. If we go to the expense of moving the facility it should be a permanent structure. Treasurer Stayton stated a more permanent structure would be entertained if successful.

Chairman Defoort asked when the sprung structure would be placed. Stayton stated after year one and before the third year. Treasurer Stayton stated the bins would be covered bins the first year. Chairman Defoort asked when other sites would be removed. Treasurer Stayton stated if this starts around mid-September, the other facilities would be removed by the road department as quickly as possible.

Chairman Defoort asked for testimony from those present. There was no one present.

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

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

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.