

Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Fax: 208-382-7119
Email: cherrick@co.valley.id.us

STAFF REPORT:	C.U.P. 21-19 Pines by the Lake Subdivision – Final Plat
MEETING DATE:	September 8, 2022
TO:	Planning and Zoning Commission
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT / OWNER:	Clover Valley Properties LLC P.O. Box 1177 Donnelly, ID 83615
ENGINEER:	Crestline Engineers PO Box 2330 McCall, ID 83638
SURVEYOR:	Chip Bowers, Bowers Land Surveys, Inc. PO Box 976 Cascade, ID 83611
LOCATION:	Parts of parcels RP16N03E355565 and RP16N03E350174 in the NWSW Section 35, T.16N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	Approximately 5.25 acres
REQUEST:	Single-Family Residential Subdivision
EXISTING LAND USE:	Agricultural

Clover Valley Properties LLC is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit.

The approval for a conditional use permit and preliminary plat was effective August 24, 2021. The preliminary plat approval was for a 6-lot single-family residential subdivision on approximately 5.25 acres.

This plat consists of six single-family residential lots, ranging in size from 0.66 to 0.75 acres.

The site is located south of the Gold Fork Arm of Lake Cascade and north of Golden Place. Lots would be accessed from Old State Road onto a private road.

Water and sewer would be provided by North Lake Recreational Sewer and Water District.

Utility and drainage ditch easements are included on the final plat.

A Wildland Urban Interface Fire Protection Plan was submitted in February 2022 (attached)

FINDINGS:

1. The final plat was submitted on August 5, 2022.
2. Legal notice was posted in the *Star News* on August 18, 2022, and August 25, 2022. The proposed final plat was posted on the Valley County website on April August 9, 2022. **This is not a public hearing.**

3. Agency comment received:

Parametrix, Valley County Engineer, has reviewed the roadway, grading, and stormwater improvement plans and stormwater drainage report. Approval is recommended. (October 18, 2021)

Jess Ellis, Donnelly Fire Department Fire Marshal, stated that the requirements of the Donnelly Rural Fire Protection District have not been met as of August 23, 2022. (August 23, 2022)

Joel Droulard, Acting Valley County Surveyor, has minor corrections to be made. Otherwise, this plat conforms with State and County regulations, and he recommends approval. (August 25, 2022)

Kelly Copperi, Valley County Dispatch Communications Supervisor, said the road name of Alaska Way is acceptable. (August 8, 2022)

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, hazardous waste, ground water contamination, and best management practices. (August 10, 2022)

Laurie Frederick, Valley County Cadastral Specialist, noted minor discrepancies and recommended any issues be resolved prior to recording the subdivision plat. (August 26, 2022)

STAFF QUESTIONS / COMMENTS / RECOMMENDATION:

- 1) The following documents were not received at the time of preparation of the Staff Report:

- Submittal Letter from Applicant
- Proposed Declaration of Private Roads
- Proposed Declaration of Utilities
- Proposed CCRs

- 2) The following changes should be made to the notes on the plat:

- Lots shall not be reduced in size without prior approval from the (not “the”) Health Authority and re-platting of the property.
- Declaration of Private Road
- Declaration of Installation of Utilities
- Dedication of right-of-way along Old State RD, if needed.
- Alaska Way should be shown as (Private Road).
- The Fire Mitigation Plan should be recorded and referenced on the face of the plat.

- 3) Change certificate of owners.
- 4) The applicant's engineer will need to submit a statement that the road was built to approved engineer plans.
- 5) CCR's when submitted should address lighting, provide for long-term implementation of the Wildland Urban Interface Fire Protection Plan and have language concerning maintenance of septic systems.

The following are the conditions of approval and comments as to whether the applicant has complied with each condition.

Approved Conditions of Approval – Instrument # 443757:

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 final plat shall be recorded within two years or this permit will be null and void. **Must be recorded by August 24, 2023.**
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. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site. ✓
6. Roads shall be constructed in accordance with the Valley County Private Road standards. The Valley County Engineer shall review and approve construction drawings prior to development. ✓ **Approval letter October 18, 2021**
7. Prior to recordation of the plat, the Developer's engineer shall certify that the road is constructed in accordance with the plans approved by the Valley County Engineer.

Need _____

8. A Private Road Declaration is required prior to recordation and must be noted on the face of the plat.

Need _____

9. Must bury conduit for fiber optics with utilities.

Has this been completed? _____

10. A Declaration of Installation of Utilities shall be placed on the face of the plat if all utilities are not in place at the time of recordation.

Are utilities in place? _____

11. A letter of approval is required from Donnelly Rural Fire District prior to recording the final plat. This approval includes comments on the Wildfire Mitigation Plan.

Need _____

12. CCR's should address lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device.

Need _____

13. All lighting must comply with the Valley County Lighting Ordinance. ✓

14. A letter from the Gold Fork Irrigation District is required stating they have no concerns with this proposal.

Need _____

15. Shall place addressing numbers at each driveway and each residence.

16. All lots should have access off the private road, not Old State Road.

_____This shall be stated on the final plat.

17. The following note shall be placed in the notes on the face of the final plat:
"The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."

_____This note shall be placed on the final plat.

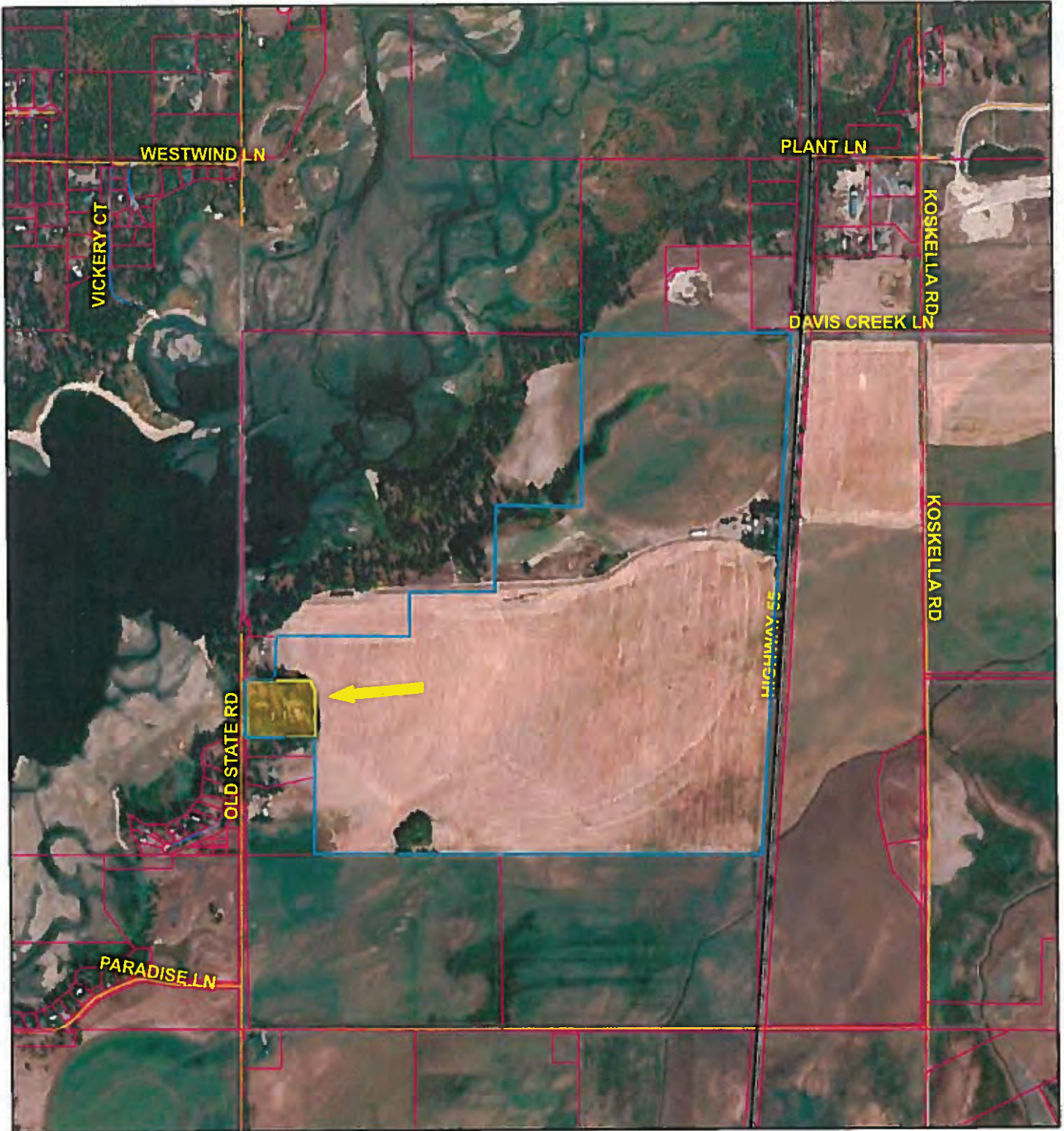
_____End Conditions of Approval_____

ATTACHMENTS:

- Vicinity Map
- Aerial Map
- Conditional Use Permit
- Proposed Final Plat
- Approved Preliminary Plat
- Responses
- Wildland Urban Interface Fire Protection Plan


END OF STAFF REPORT

C.U.P. 21-19 Pines by the Lake Subdivision



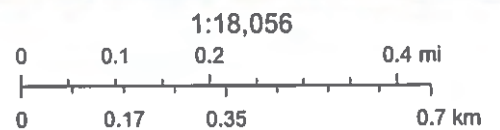
6/30/2021, 4:43:11 PM

 Parcel Boundaries  URBAN/RURAL

All Road Labels  PRIVATE

Roads

 MAJOR



Maxar

C.U.P. 21-19 Pines by the Lake Subdivision



6/30/2021, 4:40:02 PM

- Parcel Boundaries
- Addresses
- All Road Labels
- Roads
- URBAN/RURAL
- PRIVATE



Maxar



Planning and Zoning Commission
VALLEY COUNTY
IDAHO

P.O. Box 1350/219 North Main Street/Cascade, Idaho 83611-1350

Phone: 208.382.7115
FAX: 208.382.7119

Instrument # 443757

VALLEY COUNTY, CASCADE, IDAHO
8-31-2021 08:19:57 AM No. of Pages: 3
Recorded for : P&Z
DOUGLAS A. MILLER Fee: 0.00
Ex-Officio Recorder Deputy
Index to: COUNTY MISC

A handwritten signature in black ink, likely of Douglas A. Miller, the Ex-Officio Recorder Deputy.

**CONDITIONAL USE PERMIT
NO. 21-19**

Pines by the Lake Subdivision

Issued to: Clover Valley Properties LLC
P.O. Box 1177
Donnelly, ID 83615

Property Location: The site is 5.25 acres of RP16N03E350176 in the NWSW of Section 35, T.16N, R.3E. Boise Meridian, Valley County, Idaho.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of August 12, 2021. The Commission's decision stands, and you are hereby issued Conditional Use Permit No. 21-19 with Conditions for establishing a 6 lot single family subdivision as described in the application, staff report, and minutes.

The effective date of this permit is August 24, 2021.

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 final plat shall be recorded within two years or this permit will be null and void.
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. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.
6. Roads shall be constructed in accordance with the Valley County Private Road standards. The Valley County Engineer shall review and approve construction drawings prior to development.
7. Prior to recordation of the plat, the Developer's engineer shall certify that the road is constructed in accordance with the plans approved by the Valley County Engineer.
8. A Private Road Declaration is required prior to recordation and must be noted on the face of the plat.
9. Must bury conduit for fiber optics with utilities.
10. A Declaration of Installation of Utilities shall be placed on the face of the plat if all utilities are not in place at the time of recordation.
11. A letter of approval is required from Donnelly Rural Fire District prior to recording the final plat. This approval includes comments on the Wildfire Mitigation Plan.
12. CCR's should address lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device.
13. All lighting must comply with the Valley County Lighting Ordinance.
14. A letter from the Gold Fork Irrigation District is required stating they have no concerns with this proposal.
15. Shall place addressing numbers at each driveway and each residence.
16. All lots should have access off the private road, not Old State Road.
17. The following note shall be placed in the notes on the face of the final plat:
"The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."

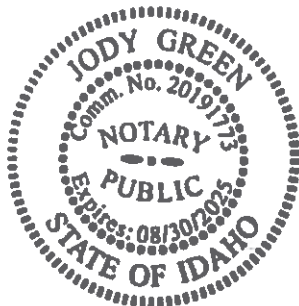
END CONDITIONAL USE PERMIT

Date August 30, 2021

Approved by Cynda Herrick

On this 30 day of August, 2021, before me, a notary public in and for said State, Cynda Herrick personally appeared, and is known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate above written.



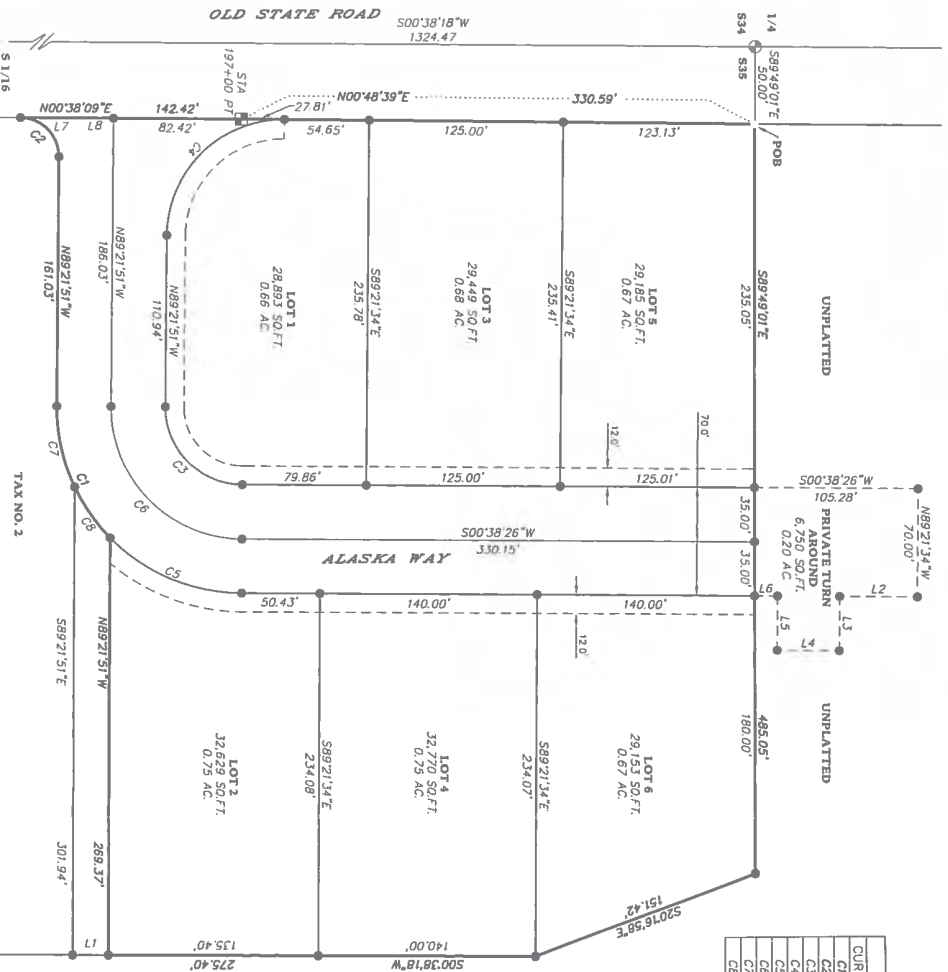
Jody Green
Notary Public
Residing at: Valley (pantz)
Commission Expires: 8/30/25

Book _____

Page _____

CCR's _____

PINES BY THE LAKE SUBDIVISION
SITUATE IN A PORTION OF THE
NW1/4 OF THE SW1/4 OF SECTION 35
TOWNSHIP 16 NORTH, RANGE 3 EAST, B.M.,
VALLEY COUNTY, IDAHO
2022



CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD
C1	94.04'	120.00'	58.871' 08" W
C2	39.27'	45.00'	54.530' 09" W
C3	178.54'	25.00'	54.531' 12" E
C4	178.54'	25.00'	54.531' 12" E
C5	178.54'	25.00'	54.531' 12" E
C6	178.54'	25.00'	54.531' 12" E
C7	178.54'	25.00'	54.531' 12" E
C8	178.54'	25.00'	54.531' 12" E

LINE TABLE		
LINE	LENGTH	BEARING
L1	21.09'	N00°38'18"W
L2	50.00'	S00°38'26"W
L3	35.00'	S89°21'34"E
L4	40.00'	S00°38'26"W
L5	35.00'	N89°21'34"W
L6	14.72'	S00°38'26"W
L7	31.03'	S00°38'09"W
L8	22.97'	S00°38'09"W

- Legend**
- EXTerior BOUNDARY LINE
 - LOT/PARCEL LINE
 - SECTION MONUMENT
 - FOUND 5/8" INCH REBAR
 - FOUND 1/2" OF WAY MONUMENT
 - SET 5/8" INCH REBAR
 - ALREADY EXISTING, NO MONUMENT SET OR FOUND

NOTES

1. All road easements shown on this map are shown without prior approval from the Valley County Health Department.
2. All utility easements shown on this map are shown without prior approval from the Valley County Health Department.
3. Only one burning device allowed per lot.
4. No additional domestic water supply shall be installed beyond the water system approved in the subdivision plat.
5. Reference is made to public health order on the subject of burning devices.
6. A 12 foot wide utility and drainage easement is hereby designated along roadway as shown.
7. Minimum Building Setback Lines shall be in accordance with the Valley County Code at the time of issuance of any building permit.
8. This plat is subject to Idaho Code Section 31-8005. No irrigation water shall be supplied to any lot herein.
9. This subdivision shall be subject to Declaration of Covenants, Conditions, and Restrictions for the benefit of the land subdivision recorded as plat No. _____.

FEUA Flood Plain: 16085C125C
FEUA Effective Date: 2/1/2019
Flood Zones: X, AE
Flood Hazard Classification: 9/9
Flood Zones are subject to change by FEUA & all laws within a floodway of the Valley County Code

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 12, shall be observed by the owner of the land shown on this map. Sanitary restrictions may be imposed in accordance with the Valley County Code by the health officer of the Valley County.

District Health Department, CHS _____ Date _____

Map No. _____

Bowers Land Surveys, Inc.

P.O. BOX 878, CASCADE, IDAHO 83411 PHONE: 208-460-0457

JOB NO. 21036
DRAWN BY CG
DATE 08/02/22
SHEET 1 OF 2



BASIS OF BEARINGS
Bearings are Old Idaho West State Plane Zone coordinates. Distances are in feet. All distances are rounded to the nearest foot. All distances are rounded to the nearest foot. All distances are rounded to the nearest foot.

SURVEY NARRATIVE
This plat is being recorded to show the lots as defined by the survey. The survey was conducted on 08/02/22. The survey was conducted on 08/02/22. The survey was conducted on 08/02/22.

SITUATE IN A PORTION OF THE
NW1/4 OF THE SW1/4 OF SECTION 35
TOWNSHIP 16 NORTH, RANGE 3 EAST, B.M.
VALLEY COUNTY, IDAHO
2022

Said described parcel of land contains 5.75 acres, more-or-less

(these easements as required to service said utilities is perpetually reserved.

irrigation rights and disclosure

IN WITNESS WHEREOF: I have hereunto set my hand this _____ day of _____, 2022.

Declarants

by Ken Roberts Managing Member

STATE OF IDAHO

VALLEY COUNTY)

this instrument

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2022:

Declarants

By: Marvin E. Hagedorn

Catherine L. Owens

STATE OF IDAHO

VALLEY COUNTY)

this instrument

IN WITNESS WHEREOF I have hereunto set my hand this _____ day of _____, 2022.

Page _____

CCR's _____

Certificate of Surveyor

Tile 50. Chapter 13

George J. Bowers IV, P.L.S. 13549

Certificate of Valley County Surveyor

with the Valley County Subdivision Regulations relating to plats

Valley County Surveyor

Approval of Valley County Planning and Zoning Commission

The plat of Pines By The Lake Subdivision is hereby accepted and approved the _____ day of _____, 2022, by the Valley County Planning and Zoning Commission.

2022, by the Valley County Planning and Zoning Commission

Chairman

Approval of Valley County Commissioners

_____, 2022, by the Valley County Commissioner

_____, 2022, by the Valley County Commissioner

Chairman

Certificate of Valley County Treasure

the plat of Pines By The Lake Subd vision has been paid in full. This certification is valid for the next thirty days only.

Valley County Treasurer	Date
-------------------------	------

Valley County Treasurer	Date
-------------------------	------

Valley County Recorder's Certificate

STATE OF IDAHO)

VALLEY COUNTY)

and was duly recorded in Book _____ of Plats on page _____

and was duly recorded in Book _____ of Plats on page _____

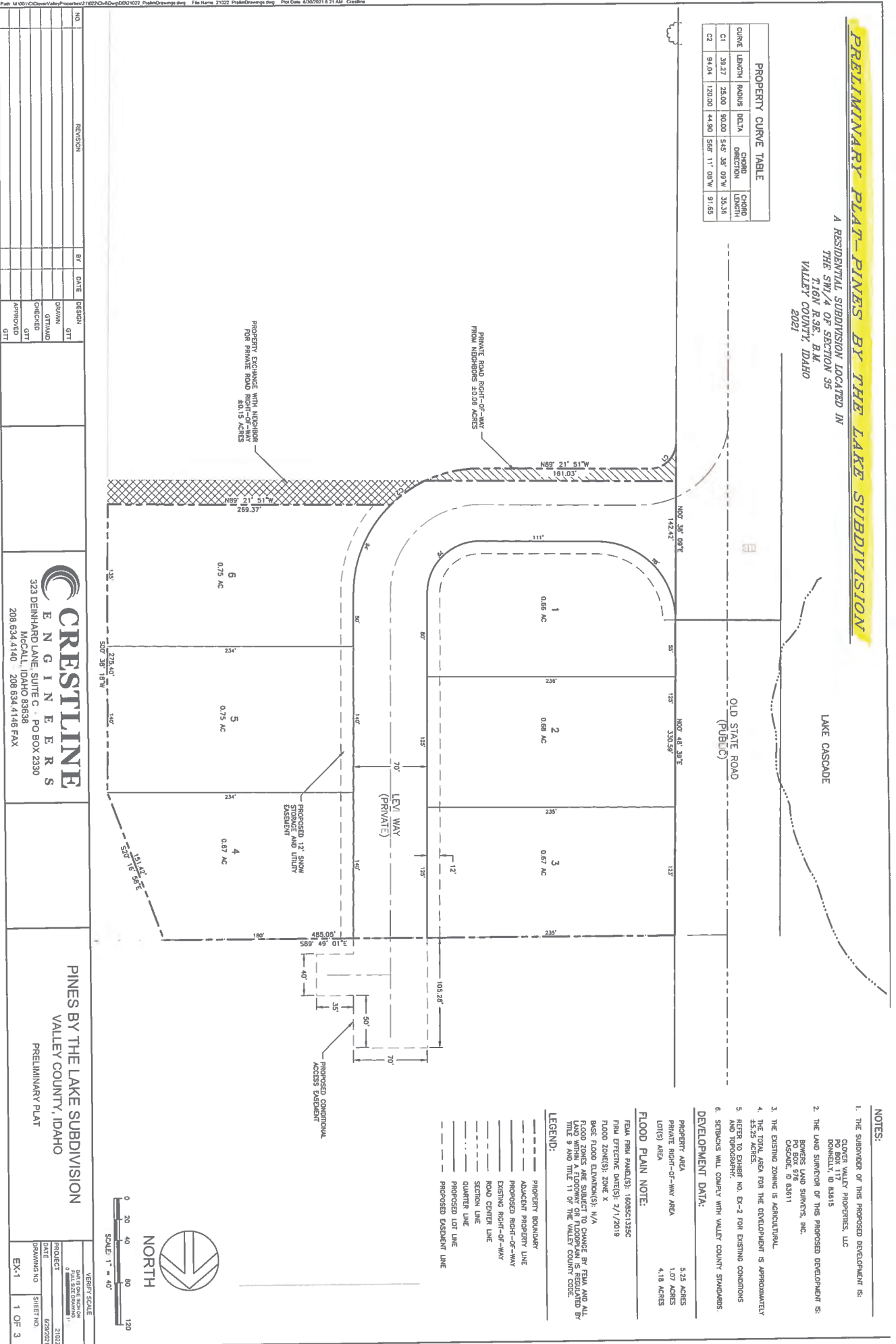
Deputy	Ex-Officio Recorder
--------	---------------------

Bowers Land Surveys, Inc.

PRELIMINARY PLAT-PINES BY THE LAKE SUBDIVISION

A RESIDENTIAL SUBDIVISION LOCATED IN
THE SW 1/4 OF SECTION 35
T18N R3E, B1E
VALLEY COUNTY, IDAHO
2021

PROPERTY CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	39.27	25.00	54° 38' 09" W	35.35
C2	94.04	120.00	56° 11' 08" W	91.55



NOTES:

1. THE SUBDIVISION OF THIS PROPOSED DEVELOPMENT IS:
OWNER: VALLEY PROPERTIES, LLC
DOMINANT: ID 83615
2. THE LAND SURVEYOR OF THIS PROPOSED DEVELOPMENT IS:
BOWERS LAND SURVEYS, INC.
1000 S. 1000 E.
CASCADE, ID 83611
3. THE EXISTING ZONING IS AGRICULTURAL.
4. THE TOTAL AREA FOR THE DEVELOPMENT IS APPROXIMATELY
48.28 ACRES.
5. REFER TO CURVE NO. EX-2 FOR EXISTING CONDITIONS
AND TOPOGRAPHY.
6. SETBACKS WILL COMPLY WITH VALLEY COUNTY STANDARDS.

DEVELOPMENT DATA:

PROPERTY AREA 5.25 ACRES
PRIVATE RIGHT-OF-WAY AREA 1.07 ACRES
LOT(S) AREA 4.18 ACRES

FLOOD PLAIN NOTE:

FEMA FIRM PANEL(S): 16085C1326C
FIRM EFFECTIVE DATE(S): 2/1/2018
FLOOD ZONE(S): ZONE X
BASE FLOOD ELEVATION(S): N/A
FLOOD ZONES ARE SUBJECT TO CHANGE BY FEMA AND ALL
LAND WITHIN A FLOODPLAIN SHALL BE CONSIDERED BY
THE 9 AND 100 YEAR 1% OF THE VALLEY COUNTY CODE.

LEGEND:

- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- PROPOSED RIGHT-OF-WAY
- EXISTING RIGHT-OF-WAY
- ROAD CENTER LINE
- SECTION LINE
- QUARTER LINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT LINE

REVISION		BY	DATE	DESIGN	DTT
NO.					
1				DRAWN	DTT
2				CHECKED	DTT
3				APPROVED	DTT
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38					
39					
40					
41					
42					
43					
44					
45					
46					
47					
48					
49					
50					
51					
52					
53					
54					
55					
56					
57					
58					
59					
60					
61					
62					
63					
64					
65					
66					
67					
68					
69					
70					
71					
72					
73					
74					
75					
76					
77					
78					
79					
80					
81					
82					
83					
84					
85					
86					
87					
88					
89					
90					
91					
92					
93					
94					
95					
96					
97					
98					
99					
100					

CRESTLINE
ENGINEERS
323 DENHARD LANE, SUITE C - PO BOX 2330
MCALL, IDAHO 83638
208 634.4140 208 634.4146 FAX

PINES BY THE LAKE SUBDIVISION
VALLEY COUNTY, IDAHO
PRELIMINARY PLAT

DATE OF PRELIMINARY PLAT	2/1/2021
PROJECT	21022
DATE	6/29/2021
DRAWING NO.	SHEET NO.
EX-1	1 OF 3

SENT VIA EMAIL

October 18, 2021

Mr. Cynda Herrick, AICP
Valley County Planning and Zoning Administrator
P.O. Box 1350
Cascade, ID 83611

Re: Pines by the Lake Subdivision – Revised Final Roadway, Grading, and Stormwater Improvements Plans and
Stormwater Drainage Report

Dear Cynda:

We have reviewed the above referenced revised documents against the current Valley County (VC) standards. Per our review, the applicant has addressed our comments and the plans and drainage report meet the standards and requirements; therefore, we are recommending approval of the documents.

Please contact me with any questions or comments.

Sincerely,

PARAMETRIX
Valley County Engineer



Paul Ashton, PE

cc: Jeff McFadden / Valley County Road Department

Anthony Dini, E.I.T., Crestline Engineers

inspired people. inspired solutions. making a difference.



Donnelly Rural Fire Protection District
P.O. Box 1178 Donnelly, Idaho 83615

August 23, 2022

Valley County Planning & Zoning Commission
P.O. Box 1350
Cascade, Idaho 83611

RE: C.U.P. 21-19 Pines by the Lake Subdivision – Final Plat

C.U.P. 21-19 Pines by the Lake Subdivision has not met Donnelly Rural Fire Protection District requirements as of August 23, 2022.

Please call 208-325-8619 with any questions.

Jess Ellis

A handwritten signature in dark ink, appearing to read "Jess Ellis", is written over a light blue circular stamp.

Fire Marshal
Donnelly Fire Department

DROULARD LAND SURVEYING, INC.

JOEL W. DROULARD, PRES
Professional Land Surveyor, License No. 5357

POST OFFICE BOX 69
McCALL, IDAHO 83638

August 25, 2022

Cynda Herrick
Valley Co. P&Z Administrator
Valley County Courthouse
Cascade, Id. 83611

RE: Final Plat Review "PINES BY THE LAKE SUBDIVISION"

Dear Cynda,

This letter is in response to your request for me to review the final plat for the above referenced subdivision as the Acting Valley County Surveyor.

I have the following comments:

SHEET 1:

1. Please provide the CPF Numbers for both the 1/4 Corner and the 1/16 Corner used as a tie. I.C. 50-1304 and I.C. 55-1906
2. The square footage shown for the Private Turn Around is not correct, it should be 8,750 sq. ft.
3. Under the Surveyor Narrative, ROS Book 13 Page 199 should be Book 13 Page 197.
4. Please note the License number of the surveyors for the found monuments, or note that there is no cap.
5. Under the Notes, the word "the" in the first note is mis-spelled.

SHEET 2:

1. The property description in the Certificate of Owners has one error. The length of the second curve shown as 39.17 feet, should be 39.27 feet.

Other than the above comment, I find that this plat conforms with State and County regulations, and recommend approval

Sincerely,

A handwritten signature in cursive script, appearing to read "Joel W. Droulard".

Joel W. Droulard, Acting Valley County Surveyor



Re: Proposed Road Name - Alaska Way

Kelly Copperi <ktaylor@co.valley.id.us>

Mon 8/8/2022 2:08 PM

To: Lori Hunter <[REDACTED]> Laurie Frederick <[REDACTED]>

No

From: Lori Hunter <[REDACTED]>

Sent: Monday, August 8, 2022 11:59:44 AM

To: Kelly Copperi <ktaylor@co.valley.id.us>; Laurie Frederick <[REDACTED]>

Subject: Proposed Road Name - Alaska Way

See attached final plat submittal and vicinity map

Any issues with the proposed road name of Alaska Way?

Lori Hunter

Valley County Planning & Zoning Assistant Planner

[REDACTED]

219 N. Main Street • P.O. Box 1350

Cascade, ID 83611

Service **T**ransparent **A**ccountable **R**esponsive



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 N. Orchard Street, Boise ID 83705
[REDACTED]

Brad Little, Governor
Jess Byrne, Director

August 10, 2022

By e-mail: [REDACTED]

Valley County Planning & Zoning Commission
PO Box 1350
219 North Main Street
Cascade, Idaho 83611-1350

Subject: September 8, 2022 Public Hearing
C.U.P. Pines by the Lake Subdivision; C.U.P. Saddle Rock Subdivision;
C.U.P. Shaw Family Ranch Subdivision; C.U.P. Esplin Glamping & Short-Term Rentals;
C.U.P. Barton Short-Term Rentals, Barton Shared Driveway

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at [REDACTED]

- For new development projects, all property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities, per IDAPA 58.01.01.651.

DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

For questions, contact David Luft, Air Quality Manager, at [REDACTED]

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at [REDACTED]

2. WASTEWATER AND RECYCLED WATER

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

For questions, contact Valerie Greear, Water Quality Engineering Manager at [REDACTED]
[REDACTED]

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at ()

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at ()
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call () for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at ()

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at [REDACTED]

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

Response to Request for Comment
August 10, 2022
Page 5

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at [REDACTED]

Sincerely,

A handwritten signature in black ink that reads "Aaron Scheff". The signature is written in a cursive, flowing style.

Aaron Scheff
Regional Administrator

EDMS#: 2022AEK

Valley County Assessor's Office

P.O. Box 1350 • 219 N. Main Street
Cascade, Idaho 83611-1350



Department of Motor Vehicles

JUNE FULLMER

Assessor
jfullmer@co.valley.id.us

SUE PROBST

Chief Deputy Assessor
sprobst@co.valley.id.us

August 26, 2022

Cynda Herrick
Valley Co. P&Z Administrator
Valley County Courthouse
Cascade, Idaho 83611

RE: Final Plat Review " Pines By The Lake Subdivision "

Dear Cynda,

This letter is in response to your request for our office to review the final plat of the above referenced subdivision.

I have run a traverse of the subdivision boundary from the legal description provided on the Certificate of Owners. Enclosed you will find a copy. This **2023** proposed plat encompasses & splits parcels referenced on the Assessment Roll as N/2 & N/2 S/2 Lying W of State HWY less USA Easement and less Tax No's 1, 2, 5, 7 and 8; also, less Co Deeded Rd; TAX #8 in NW NW SW in Section 35 of Township 16 North, Range 3 East. The parcel number(s) and ownership are as follows:

RP **16N03E350174** – Clover Valley Properties LLC

RP **16N03E355565** – Marvin F. Hagedorn & Catherine L.Owens

I have enclosed a copy of the GIS plat, T16N R03E Section 35, with this proposed replat highlighted. We have found two very minor discrepancy within this plat. Chip, please review the names that Mr. Roberts is signing for (Clover Valley Properties LLC); also, we recognize the discrepancy of "39.17'/39.27'" within the description and face of plat. We recommend any issues be resolved prior to recording this proposed Subdivision.

Please feel free to contact our office with any further questions or inquiries. Thank you for allowing us the opportunity to review this plat.

Sincerely,

Laurie Frederick
Valley County Cadastral Specialist
Cartography Department

Enclosure

Cc: Joel Droulard, Valley Co. Surveyor; Chip Bowers, Bowers Land Surveys, Inc.

Wildflower Ridge Subdivision
J:\Assessor\Traverse PC\traverse 2013\16n\3E\SEC35.TRV
T16N 3E SEC 35

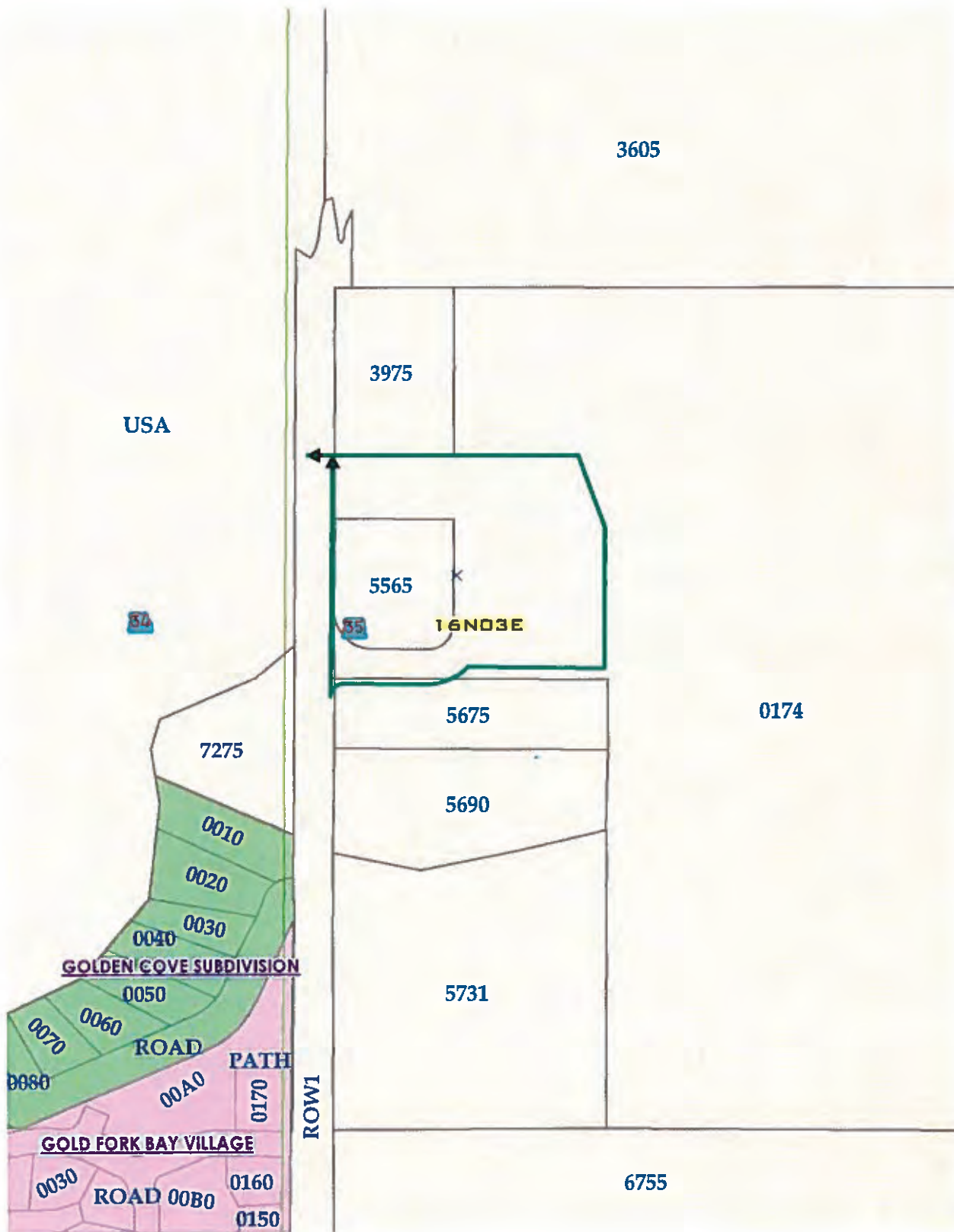
Pine by the Lake Sub boundary

228905.7332 SqFt 5.2550 Acres

Point	Type	Grid Bearing	Grid Dist	Radius	Arc Length	Delta	Northing	Easting
38A							1098517.59	2541924.08
56		S89°49'01"E	485.05				1098516.04	2542409.12
57		S20°16'56"E	151.42				1098374.01	2542461.61
58		S0°38'18"W	275.40				1098098.62	2542458.54
59	PC	N89°21'51"W	269.37				1098101.61	2542189.19
60	PT	S68°11'08"W	91.65	120.00	94.04	44°53'59"	1098067.55	2542104.10
61	PC	N89°21'52"W	161.03				1098069.34	2541943.08
62	PT	S45°38'09"W	35.36	-25.00	39.28	90°00'54"	1098044.62	2541917.80
63		N0°38'09"E	142.42				1098187.03	2541919.39
38A'		N0°48'39"E	330.59				1098517.58	2541924.06

Friday, August 26, 2022 15:30:40
Ifrederick

Proposed "PINES BY THE LAKE SUBDIVISION"
 Parcels RP16NO3E350174 & RP16NO3E355565
 Note: Parcel RP16NO3E355675 Lot Line Adjustmen #450437 & #450378



This map or drawing is to be used for reference purposes only. The County is not responsible for any inaccuracies contained herein.
 Date: 8/26/2022
 By: L.Fredrick

RECEIVED
FEB 01 2022
BY:

WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN

Valley County Idaho
Title 10 Chapter 7

Pines By The Lake

A proposed subdivision located in Pts. Of the NWSW Section 35, T16N, R3E B.M.



John Lillehaug
PO Box 1250 McCall, ID. 83638





Section 1 *Purpose and Plan Objectives*

Purpose

Valley County's community wildfire protection plan acknowledges that wildfire hazard areas exist throughout the county. Therefore, wildfire mitigation actions are prudent to enable safe habitation in these fire environments. The existence of said plans will assist Valley County Planning and Zoning Commission and the structural fire districts plus the wildland fire agencies in satisfying the current subdivision regulation, subsection 10-3-2-6D7 of Valley County's Code of Ordinances (Ord. 10-07, 8-26-2010).

The wildland urban interface (hereafter referred to as WUI) consists of that geographical area where structures and other human development meets or intermingles with wildland and vegetative fuels. The character of the WUI ranges from urban areas adjoining wildlands to isolated ranches or cabins. Since 1993, the number of structures in the WUI has doubled and soon will triple. As the number of structures in the WUI continues to increase, concerns over public safety and the protection of improvements increases. The highest human-caused ignition sources in the WUI are miscellaneous and debris burning.

Plan Objective

The objective of this document is to describe the **Pines By The Lake** subdivision and identify clear priorities for the implementation of wildfire mitigation.

The **Pines By The Lake** proposed subdivision consists of a parcel of land (approximately 5 acres in size) that is planned to be divided into six various sized lots that will eventually that will add more structures to the Valley County WUI. This Fire Protection Plan will assist in providing recommendations to minimize the wildfire risk to the property and proposed structures.

The following agencies and entities will be contacted to receive project-specific information and to provide input on the final Wildfire Protection Plan for the **Pines By The Lake** proposed subdivision:

- Adjacent landowners and homeowners
- Valley County Planning and Zoning Commission
- Donnelly Rural Fire Protection District
- Southern Idaho Timber Protective Association
- North Lake Recreational Sewer and Water District (NLRSD)
- United States Bureau of Reclamation (BOR)
- Wildfire Prevention Associates, LLC

Section 2 *Wildfire Risk Assessment:*

1. Site Description:

The **Pines By The Lake** proposed subdivision is located in portions of the NWSW in Section 35, T16N, R3E, B.M. Valley County, Idaho.

The property lies about five (5) miles south of Donnelly and consists of about 5 acres. Access is provided off Highway 55 onto W4 Lane then turning north on Old Highway Road. It is flat ground, the topographic elevation is about 4850 feet, and average precipitation is around 24 inches. There is no surface water on the property however, it is located less than 200 feet east of Lake Cascade. The property is located along the eastside of Old Highway Road with about 4-5 acres of relatively gentle ground. The proposed subdivision consists of 6 lots that range from 0.67 to 0.75 acre in size.

2. Existing Vegetative and Fuel Hazard Conditions:

The property has an 70% canopy cover of conifer tree species consisting of Ponderosa pine (99%) with a few native Lodgepole pine and planted Western Larch and Spruce. The deciduous tree canopy (30%) consists primarily of Aspen with a few Cottonwoods. The understory vegetation consists of snowberry and willows along with various forbs and grasses.

This property was harvested about 20-25 years ago leaving a nice stand of large trees that have produced a decent amount of natural reproduction. The overall existing timber stand is an uneven-aged stand with three basic age groups:

1. **The seedling/sapling age group:** Trees range from one foot to 25 feet tall, have diameters up to six inches D.B.H., and ages from one to 25 years. Number of trees per acre range from zero to 500 in the few overcrowded clumps. Ponderosa pine and Lodgepole pine, both shade intolerant species can be found growing on this dry site. Douglas fir and Grand Fir, both shade tolerant species, are found growing underneath the denser overstory. This age group is a low to medium component of the overall timber stand.
2. **The pole size age group:** Trees range in size from six to 10 inches D.B.H. and ages from 30 to 50 years. This age group is also low to medium component of the overall timber stand and in some areas are growing in overcrowded clumps. There are a few Western Larch and Engelmann Spruce that were planted about 30 years ago along the north side of the timber stand.

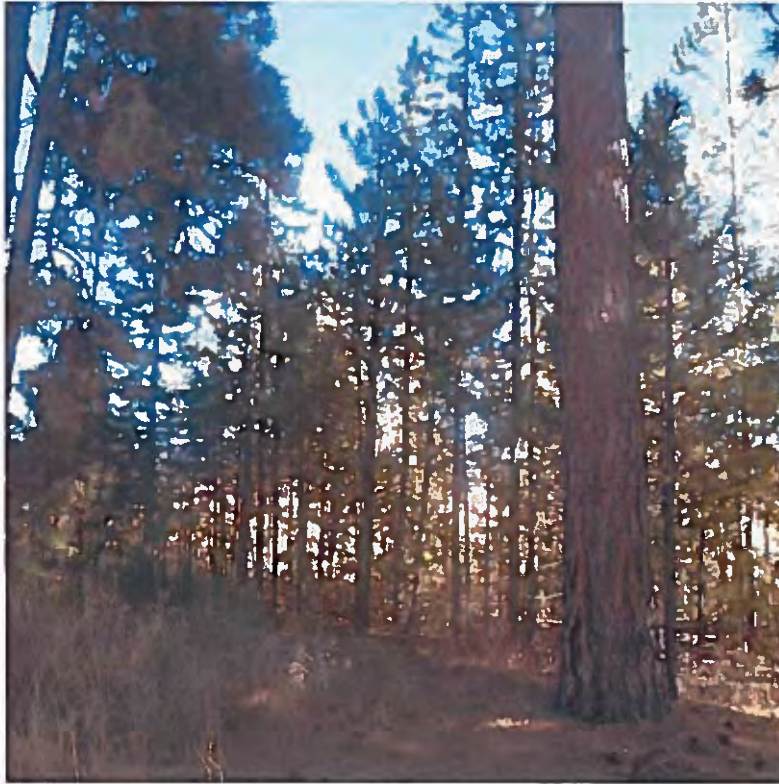


Figure 1: Overcrowded clump of younger trees

3. **Overstory:** Trees range from 10 to 30 plus inches D.B.H., heights range from 90 to over 120 feet tall, and ages range from 55 to over 100 years. Trees per acre range from 10 to 30 as the Basal Area (a representation of how close the trees are growing to each other) per acre ranges from 20 to 80 square feet.



Figure 2: Well-Spaced overstory trees and lack of woody debris on the ground

Even though the younger trees may be growing in overcrowded conditions most of clumps are located along the outside edge of the proposed subdivision and may act as a screen to the farming activities on the north and east side. Most of the overstory trees are well spaced so that the crowns are not touching with an average spacing of 20-25 feet apart. Also, there is a lack of large woody debris on the ground to carry a wildfire.

4. Fire History

The fire history records from all jurisdictional agencies show a very low occurrence from lightning or human caused ignitions in the past. As more structures are built the probability of human caused ignitions will increase.

Thunderstorms that are common in the summer months could result in rapid changes in fire behavior that could increase the risks to homeowners and firefighters. The Fire Behavior Triangle consists of three factors that combine to determine how a fire burns on a site- they are topography, weather, and fuels. The normal weather pattern and air flow comes from a south/southwest direction with average summer temperatures ranging from about 70 to 85 degrees.

The topography is relatively flat (0-5%), therefore, this property is relatively safe from a nature caused wildfire unless there was a strong wind pushing the flames.

The main risk from wildfire would come from a human caused fire that started east of the property from harvesting the farm fields or from the numerous structures south of the proposed subdivision.

5. Existing Roads and bridges

Old Highway Road, located along the west property boundary, is a county maintained paved road that currently dead ends at Lake Cascade. There are no bridges on the property.

6. Location of existing building structures and estimate of property density

Currently there is one existing structure on the property however, there are several existing structures within one-quarter mile. Additionally, there are numerous subdivisions south and west that front Lake Cascade. The proposed subdivision density at full development is one single family unit per about $\frac{3}{4}$ acre. The development is planned for 6 lots ranging from 0.67 to 0.75 acre with a typical lot size being approximately 135 feet by 235 feet.

7. Infrastructure that may affect wildfire risk

An Idaho Power Company overhead power line traverses between Old Highway Road and the west property boundary to feed the existing structures and will provide power to proposed subdivision.

8. Description of existing features that may assist in wildfire control.

The flat ground should minimize the spread risk of a wildfire. Old Highway Road along the west boundary of the property will provide good access for wildland firefighting equipment and act as a fire break from a wildfire advancing from the southwest. Lake Cascade will provide an adequate dipping source for aircraft. Existing NLRSD fire hydrants are located along Old Highway Road and available for fire protection purposes.

9. Current structural and wildfire jurisdictional agencies

The structural fire jurisdiction for this development would be Donnelly Rural Fire Protection District (DRFPD). Southern Idaho Timber Protective Association (SITPA) provides wildfire protection for all timber lands in the area.

Wildfire Risk Assessment Summary:

Although the property lies within Valley County's Geographic Hazard Assessment Wildland Urban Interface moderate level condition the overall wildfire risk is low for the following reasons:

- The property is flat; therefore, the fire spread rate is low to moderate unless extreme wind/humidity conditions are present'
- The existing timber stand has been well managed by conducting a harvest that spaced the overstory trees so that the crowns are not touching and dead or dying trees have been removed so that there is little woody debris on the ground.
- The fast response time of firefighting equipment (including aerial resources), water availability, and road access should keep a wildfire from escaping initial attack and gaining large acreage or losing structures.

If the new property owners practice **Firewise** Defensible Space guidelines around their building structures, it will greatly minimize the risk of loss from wildfire.

Section 3 *Wildfire Risk Mitigation:*

The Fire Behavior Triangle consists of three factors that combine to determine how a fire burns—they are topography, weather, and fuels. Topography is fixed as it changes very slowly over time. Weather is highly variable and the ability to predict is somewhat limited. Fuels (anything that burns and changes from season-to-season or time of day) can be manipulated to minimize wildfire risk.

1. Access-Planned ingress and egress routes

Old Highway Road is the primary ingress and egress route and will be the primary escape route to travel south. This road is wide enough to accommodate emergency vehicles with a cul-de-sac that will be constructed at the entrance to the subdivision and designed to have a wide turning radius. The road grade is suitable for emergency vehicles and well signed from Highway 55.

2. Water supply for structural and wildland fire responses

The current wildland fire protection water supply needs for this proposed subdivision are available by dipping or drafting from Lake Cascade. The existing hydrants along Old Highway Road can be used for structural fire protection.

3. Estimated response time and distance for jurisdictional fire agencies

Estimated response time for Donnelly Rural Fire Protection District is at least 15-20 minutes and SITPA is about 20 to 45 minutes as they are range from 5 to 20 miles away from the development. Additional wildfire resources from federal agencies are available on request.

4. Proposed internal fire protection systems.

NLRSD will provide fire protection capacity through a hydrant system that conform to the International Fire Code. These public facilities are owned and operated by NLRSD.

5. Proposed infrastructure (including driveways, signage, and power connections).

New structures are strongly urged to utilize building materials meeting a standard of fire resistance advocated by the Valley County Building Department and the International Fire Code (IFC). The primary access road from Old Highway Road will be called Levi Way and signed as a private road. The road surface will be about 28 feet wide with an easement width of 70 feet. Levi Way will dead end at the north end of the development with a 120-foot Hammerhead turnaround as per IFC. The Valley County Fire Districts recommend that driveways shall not exceed 10% grade, must be 12 feet wide, have an unobstructed vertical clearance of 13.5 feet, and shall be maintained to support fire apparatus up to 70,000 pounds.

All new residences will have the address number posted as per Valley County standards (i.e., numbers posted at the entrance to the driveway or on the house and the numbers must be at least 3 and 1/2 inches tall with a reflective coloring).

Electrical power is provided to the subdivision via an overhead power line along Old Highway Road. Power to the future residences will be underground thus minimizing fire risk.

6. Evacuation and Pre-incident planning.

A pre-incident action plan will be developed and instituted in the community covenants. This action plan should address the escape route and evacuation plan to encourage pre-planning by residents for preparation in the event of an incident (see Appendix A for the **Wildfire Evacuation Checklist**). Every five years DRFPD and the future residents should formulate an assessment of the existing structures and vegetation that will aid in addressing whether the current action plan needs to be updated.

7. Planned vegetation treatments to reduce fuel loads.

The primary objective for vegetation treatment to reduce the fuel load and protect the future buildings structures would be the creation of the three (3) Defensible Space Zones before each residence is constructed.

At a minimum, the Defensible Space guideline for each residence should follow the **Firewise** standards (see Appendix A for **Firewise** information pamphlets). Outside the recommended three (3) Defensible Space zones the remaining conifer trees within the Lot it is recommended to create a minimum 5-10 feet between live crowns and prune the lower branches 6-10 feet above the ground. All dead or dying trees should be removed by a piling and burning or mastication treatment. Aspen trees or clumps of tall shrubs should also be managed by removing the dead or dying stems.



Figure 3: Aspen grove with young Ponderosa pine and Douglas-fir encroaching

Part of the current timber stand will be located outside the subdivision boundaries and will remain to act as a barrier or screen for the ongoing farming activities on the north and east side of the development. The landowner of this adjacent property has indicated a willingness to allow some of the trees to be cut for aesthetic or view purposes.



Figure 4: Part of timber stand that will remain as a screen from the farm field

8. Long-term maintenance schedule to sustain fuel treat effectiveness.

- Promote the opportunity to maintain or return to native plant species and resistant to fire (such as Ponderosa pine).
- Periodically (1-5 years) the current Lot owner or HOA meet with the respective structural and/or wildland fire organizations meet to review trends and projections of future fire risk and fire risk reduction capabilities to ensure that mitigation measures are adequate.
- Vegetation encroachment within the 100' zone of each structure will be reduced annually. This may be accomplished by the homeowner, during a community workday, or by a professional contractor hired by the homeowner.
- Woody debris will be collected each spring and removed to an approved facility.
- No open fires will be allowed during the closed burn season (May 10- October 20). Fire pits if installed should be maintained to prevent a fire from escaping the structure. Recommend using metal containers for the fire pit.

Included in the proposed CCR's should be a reference to maintaining good forest health practices and the removal of dead and dying material as a requirement of ownership. The resident owner may consult with professionals such as foresters, arborists, or other qualified individuals to inspect their property to ensure the proper treatments are applied. Residents will be subject to CCRs that provide for annual evaluation of fuel loading and recommendations for removal. Development of this project into a community worthy of a Firewise Communities USA designation is the goal of this plan.



Figure 5: Planted Tamarack trees in background with natural reproduction in foreground