



Cynda Herrick, AICP, CFM
VALLEY COUNTY
IDAHO

PO Box 1350
219 North Main Street
Cascade, Idaho 83611

Planning & Zoning Administrator
Floodplain Coordinator

Phone: 208.382.7115
Fax: 208.382.7119
Email: cherrick@co.valley.id.us
Web: www.co.valley.id.us

STAFF REPORT
Conditional Use Permit Application 20-29
Kemp Private Airstrip

HEARING DATE: November 12, 2020
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
APPLICANT/OWNER: Travis J Kemp
TK Leasing LLC
967 E Parkcenter BLVD #120
Boise, ID 83706
LOCATION/SIZE: 300 Gold Fork Road
Portion of RP16N04E187203 in the SW ¼ Sec. 18, T.16N, R.4E,
Boise Meridian, Valley County, Idaho.
80-acre site
REQUEST: Private Airstrip
EXISTING LAND USE: Agricultural and Single-Family Residential

BACKGROUND:

Travis Jay Kemp is requesting approval of a conditional use permit to establish a private airstrip on an existing driveway. The 15-foot wide gravel driveway would be widened to allow a small aircraft to land. Proposed dimensions of the airstrip are 35-ft wide and 2,300'ft long.

The existing culverts will be lengthened. The runway will not cross the Roseberry Ditch. There will be no additional lighting. Aircraft will only be operated during daylight hours. The applicant anticipates a maximum of 4 takeoff and landings per month, May through November. Three windsocks would be mounted to metal poles and 20-ft maximum height.

A 40-ft by 40-ft agricultural storage building is on the property. There is a residence on the eastern portion of the parcel that is owned by the applicant. The home is accessed from Barker Lane and does not use the proposed airstrip/driveway for access.

The 80-acre site is part of RP16N04E187203. This parcel will be split into two parcels. The proposed airstrip would be accessed from Gold Fork Road, a public road.

FINDINGS:

1. Application was made to Planning and Zoning on September 24, 2020.
2. Legal notice was posted in the *Star News* on October 22, and October 29, 2020. Potentially affected agencies were notified on October 13, 2020. Neighbors within 300 feet of the property line were notified by fact sheet sent October 14, 2020. The site was posted on October 22, 2020. The notice and application were posted online at www.co.valley.id.us/public-hearing-information on October 13, 2020.

3. Agency comment received:

Jennifer Schildgen, Idaho Transportation Department – Division of Aeronautics, stated that the Idaho Division of Aeronautics has no formal procedures relative to the development or operation of a private airport. The Division does recommend filing an FAA Form 7480-1 especially when the proposed airstrip is in close proximity to other General Aviation public use airports as is the case with the Kemp Private Airstrip location being with 20 miles of Cascade Municipal Airport and McCall Municipal Airport. The form should be submitted 45 days prior to construction of the airstrip. This will provide proper airspace clearances from the FAA and should be used in conjunction with the Valley County Planning and Zoning ordinances. (Oct. 21, 2020)

Cody Janson, Valley County Engineer, can support approving the application without an engineered site grading and drainage plan under the following conditions:

- The applicant should make sure all construction efforts protect adjacent waterways and drainage features using localized construction BMPs where needed. Specific locations for consideration include the East Fork Roseberry Ditch, McClintock Drive roadside borrow ditch, and supplemental drainage/irrigation channels on the subject property.
- All existing drainage/irrigation facilities and drainage flows shall be retained and /or improved as provided in the application. No drainage/irrigation impacts to upstream or downstream properties will be allowed. The applicant appears to have these criteria through the extension of the existing culverts.

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, hazardous waste, and ground water contamination. (Oct. 23, 2020)

Central District Health has no objections to the proposal. (Oct. 13, 2020)

Donnelly Rural Fire Protection District approve the application. (Oct. 19, 2020)

4. Neighbor comments received:

James and Nancy Brown, Simpco Estates, are in favor of the airstrip. It will cause little traffic or noise. It will not affect wildlife or cause wildfires. Air traffic pattern will not be over Simpco Estates. (Nov. 3, 2020)

Kurt and Michele Stelling, property owners in Simpco Estates, do not oppose the project as long as certain conditions are followed for landing and takeoffs. If avoiding a flight path over any part of Simpco Estates is possible, they would not object. (Nov. 4, 2020)

James and Toni Miller, 318 Barker LP, Simpco Estates, responded by email. They are very concerned about low flying aircraft disturbing the tranquility of the area, increased fire hazard if plane crashed. They object to the proposal. (Nov. 2, 2020)

Todd Tinstman, 12983 Leland DR, Simpco Estates, is opposed. Residents, wildlife, and cattle will be affected by the noise. Odor and environmental pollution are also issues. Homes sold in the proximity of an airstrip sell for about 10.1% less. A private airstrip is not equipped to deal with emergencies. The Donnelly Airport is four miles from this property. Income from adjoining property will be affected. (Nov. 4, 2020)

Bob Luffel, 303 Barker Loop, Simpco Estates, is concerned about noise and takeoff/landing routes. The decibel ratings given in the application only apply to noise emission levels inside an aircraft cockpit., not the noise and nuisance experience by the local neighbors. He requests that approval be delayed until further information and conditions are provided for public review and comment. He asks if the airstrip meets any applicable FAA guidelines, particularly for runway protection zones, and if the airstrip is only for use by the permittee and guests. He prefers conditions on: maximum uses per month; maximum external aircraft noise level; no night operation; all FAA and State guidelines met; all fire marshal requirements met; and the applicant carries adequate liability insurance on any aircraft using the airstrip. (Nov. 4, 2020)

Rick and Dede Avila are opposed as the proposal seems to put the convenience of one property owner over the inconvenience and intrusion of many property owners. There are already airstrips in the area. Fire hazard and noise are concerns. (Nov. 4, 2020)

5. Physical characteristics of the site: Relatively flat

6. The surrounding land use and zoning includes:

North: Single Family Residential Subdivision and Agriculture (Grazing)
South: Agriculture (Grazing)
East: Agriculture (Timber)
West: Single Family Residential and Agriculture (Grazing)

7. Valley County Code (Title 9) in Table 9-3-1. This proposal is categorized under:
• 4. Private Recreation Uses (I) Airstrip/helipad/aircraft landing area

Review of Title 9, Chapter 5 Conditional Uses should be done.

8. The following is the code that specifically applies to Private Airstrips and Private Recreation Uses:

9-1-10: DEFINITIONS

AIRSTRIP: A private facility used for the accommodation, servicing, landing, and take off of aircraft.

ARTICLE B. PERFORMANCE STANDARDS

9-5B-1: NOISE:

- C. Residential, Recreational Or Commercial Airstrip Or Airport: The noise emanating from any residential, recreational, or commercial airstrip or airport will be considered in the conditional use permit process. The FAA will be consulted. (Ord. 10-06, 8-23-2010)

ARTICLE E. PRIVATE RECREATION USES

9-5E-1: SITE OR DEVELOPMENT STANDARDS:

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

A. Minimum Lot Area:

1. The minimum area for any use in this category shall be sufficient to accommodate the use, associated activities or uses, and to adequately contain adverse impacts.
2. Frontage along a public or private road shall not be required.

- B. Minimum Setbacks: The minimum **building** setbacks shall be fifty feet (50') from front, rear, and side street property lines, and thirty feet (30') from side property lines.

C. Maximum Building Heights and Floor Areas:

1. The maximum building height shall be thirty five feet (35').
2. Maximum floor areas 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 one percent (1%) of the lot or parcel.

- D. Site Improvements: Parking spaces shall be provided at the rate of one per every four (4) persons of total occupancy or attendance. (Ord. 10-06, 8-23-2010)

SUMMARY:

Compatibility Rating: Staff's compatibility rating is a +14.

The Planning and Zoning Commission should do their own compatibility rating prior to

the meeting (form with directions attached).

Staff Questions/Comments:

Will the grass be mowed around the airstrip?

Will guests or neighbors be able to use the airstrip?

ATTACHMENTS:

- Conditions of Approval
- Blank Compatibility Evaluation
- Staff's Compatibility Evaluation
- Vicinity Map
- Aerial Map
- Assessors Plat - T.16N R.4E Section 18
- Site Plan
- Pictures taken October 22, 2020
- Responses

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 within one year of the date of approval.
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. Should submit FAA Form 7480-1.
6. Must comply with recommendations of the Valley County Engineer.
7. Airstrip use cannot be expanded to other pilots and airplanes.

END OF STAFF REPORT

Compatibility Questions and Evaluation

Matrix Line # / Use: _____

Prepared by: _____

YES/NO X Response
Value

Use Matrix Values:

(+2/-2) X 4 _____

1. Is the proposed use compatible with the dominant adjacent land use?

(+2/-2) X 2 _____

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

(+2/-2) X 1 _____

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) X 3 _____

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

(+2/-2) X 1 _____

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

(+2/-2) X 2 _____

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

(+2/-2) X 2 _____

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

(+2/-2) X 2 _____

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

(+2/-2) X 2 _____

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Sub-Total (+) _____

Sub-Total (--) _____

Total Score _____

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

Compatibility Questions and Evaluation

Matrix Line # / Use:

15

Prepared by:

CH

Private Recreation

YES/NO X Response Value

Use Matrix Values:

(+2/-2) -1 X 4 -4

1. Is the proposed use compatible with the dominant adjacent land use?

Agricultural

(+2/-2) -1 X 2 -2

2. Is the proposed use compatible with the other adjacent land uses (total and average)?

S.F. Subdivision

(+2/-2) -1 X 1 -1

3. Is the proposed use generally compatible with the overall land use in the local vicinity?

See 142

Site Specific Evaluation (Impacts and Proposed Mitigation)

(+2/-2) +1 X 3 +3

4. Is the property large enough, does the existence of wooded area, or does the lay of the land help to minimize any potential impacts the proposed use may have on adjacent uses?

The property is large enough and distant from higher density areas.

(+2/-2) +2 X 1 +2

5. Is the size or scale of proposed lots and/or structures similar to adjacent ones?

No Structures

(+2/-2) +2 X 2 +4

6. Is the traffic volume and character to be generated by the proposed use similar to the uses on properties that will be affected by proximity to parking lots, on-site roads, or access roads?

Yes - will actually minimize vehicular traffic.

(+2/-2) +2 X 2 +4

7. Is the potential impact on adjacent properties due to the consuming or emission of any resource or substance compatible with that of existing uses?

Will emit noise periodically.

(+2/-2) +2 X 2 +4

8. Is the proposed use compatible with the abilities of public agencies to provide service or of public facilities to accommodate the proposed use demands on utilities, fire and police protection, schools, roads, traffic control, parks, and open areas?

Yes

(+2/-2) +2 X 2 +4

9. Is the proposed use cost effective when comparing the cost for providing public services and improving public facilities to the increases in public revenue from the improved property?

Will be no charge.

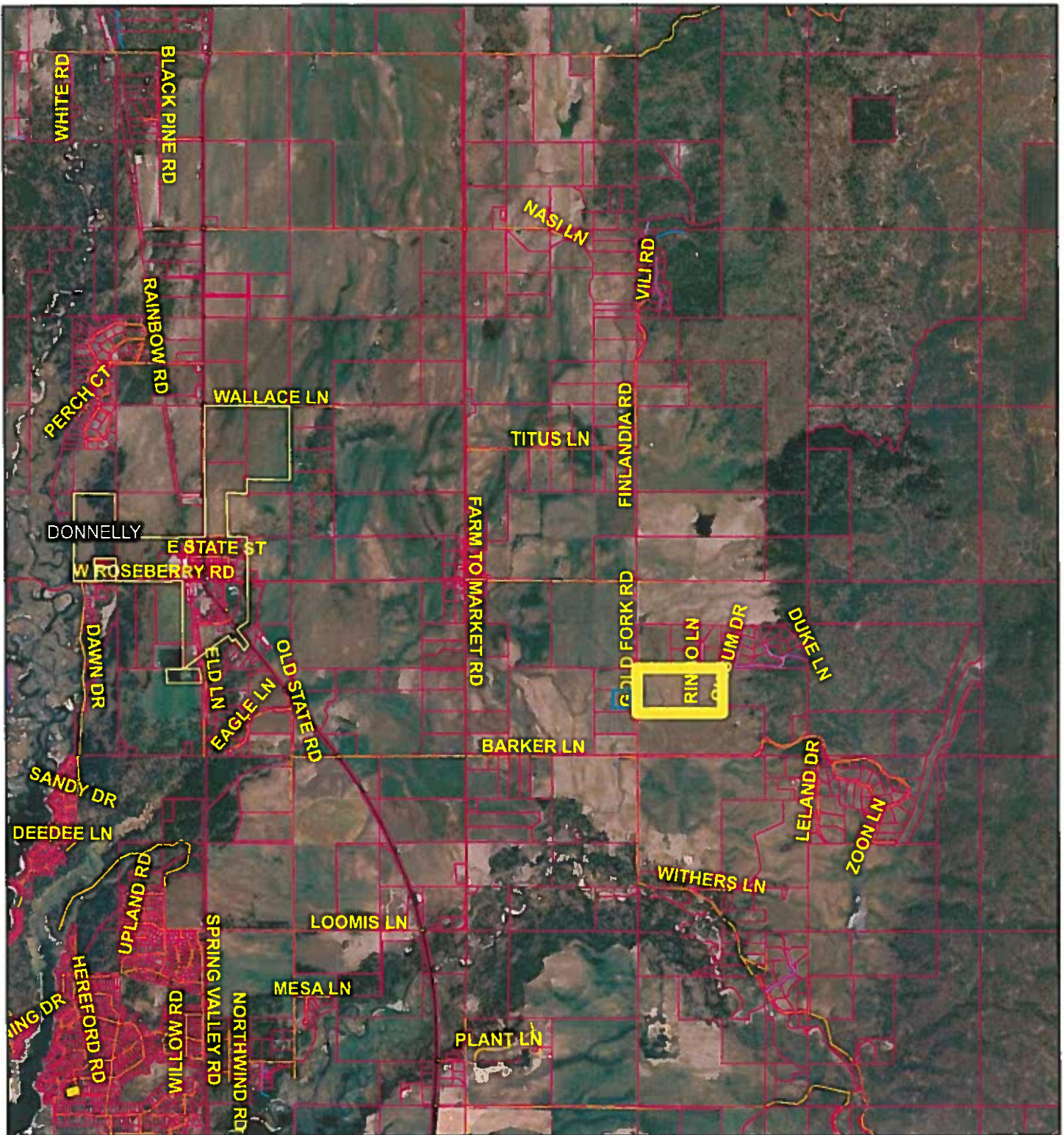
Sub-Total (+) 21

Sub-Total (-) 7

Total Score +14

The resulting values for each questions shall be totaled so that each land use and development proposal receives a single final score.

C.U.P. 20-29



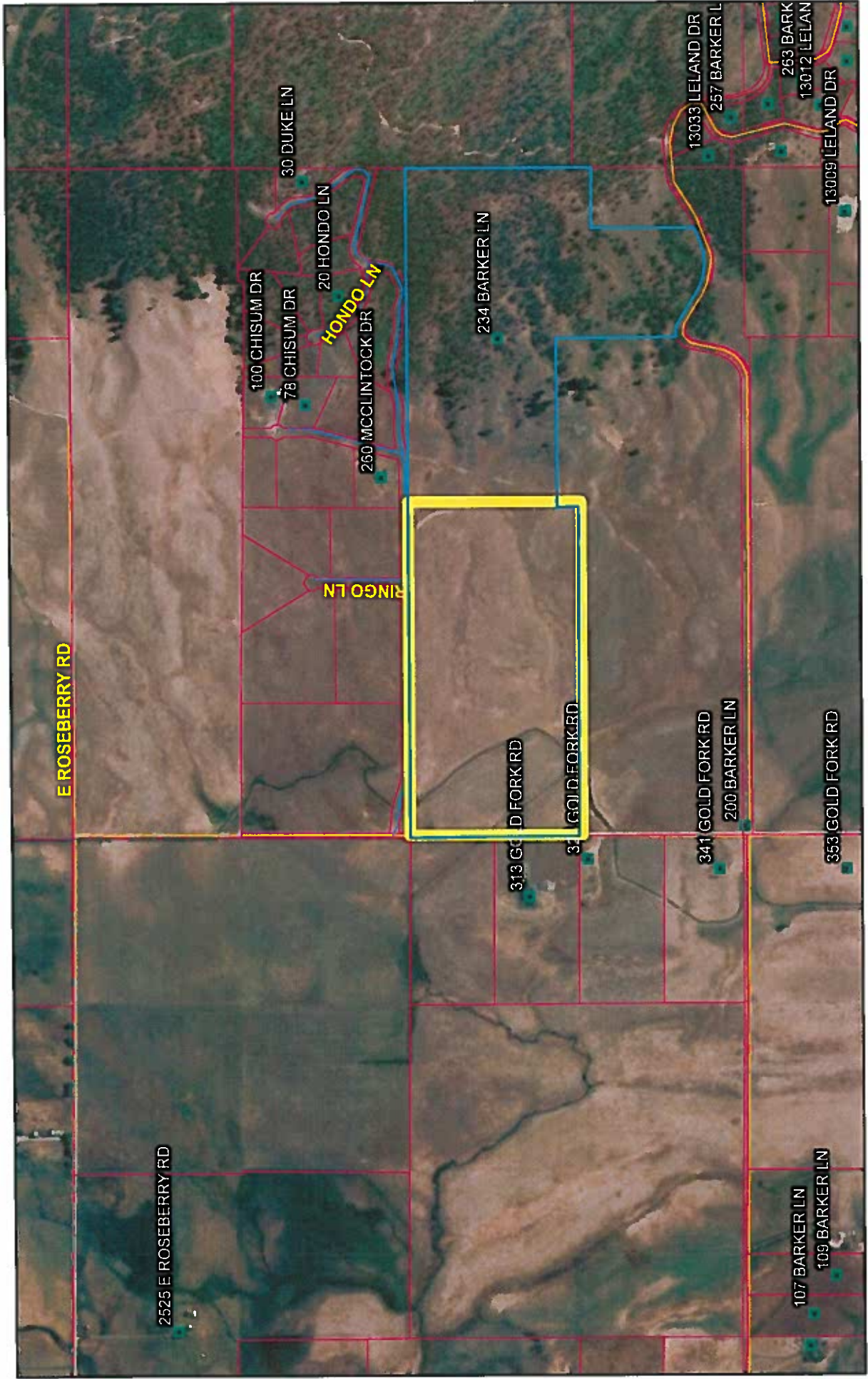
9/29/2020, 2:25:31 PM

- Municipalities
- Parcel Boundaries
- All Road Labels
- Roads
- MAJOR
- MINOR COLLECTOR
- COLLECTOR
- URBAN/RURAL
- PRIVATE



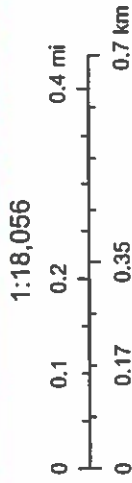
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

C.U.P. 20-29



9/29/2020, 2:34:58 PM

- Parcel Boundaries
- Addresses
- Roads
- MINOR COLLECTOR
- URBAN/RURAL
- PRIVATE



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA FSA, GeoEye, Maxar | Valley County IT | IDWR | Valley County GIS

Web AppBuilder for ArcGIS

T W P . 1 6 N R O 4 E S E C . 1 8

Filename: H:\probit\Wetley County Base Map
 Scale: 1" = 400 ft.
 Date: 12/7/18
 Drawn by: L. Frederick



Rash Ln

Rash Ln

Chesnut Dr

Private home
340 ft Northeast from
east end of runway

East Runway End
44deg 43' 23" N
116deg 01' 03" W
4925 ft elevation

McClintock Dr

Runway/widened road
Final width 35 ft
Final length 2300 ft

Agricultural Building
20 ft high
40 ft x 40 ft Wide
160 ft south from
runway center line

Utilities

Septic system
currently not
in use

Capiped
Well
Idiot
Power
Meter

East Fork Roseberry Ditch

West Runway End
44deg 43' 25" N
116deg 01' 35" W
4900 ft elevation

Gold Fork Rd

East Fork Roseberry Ditch

Lot Boundary

Gold Fork Rd

East Fork Roseberry Ditch

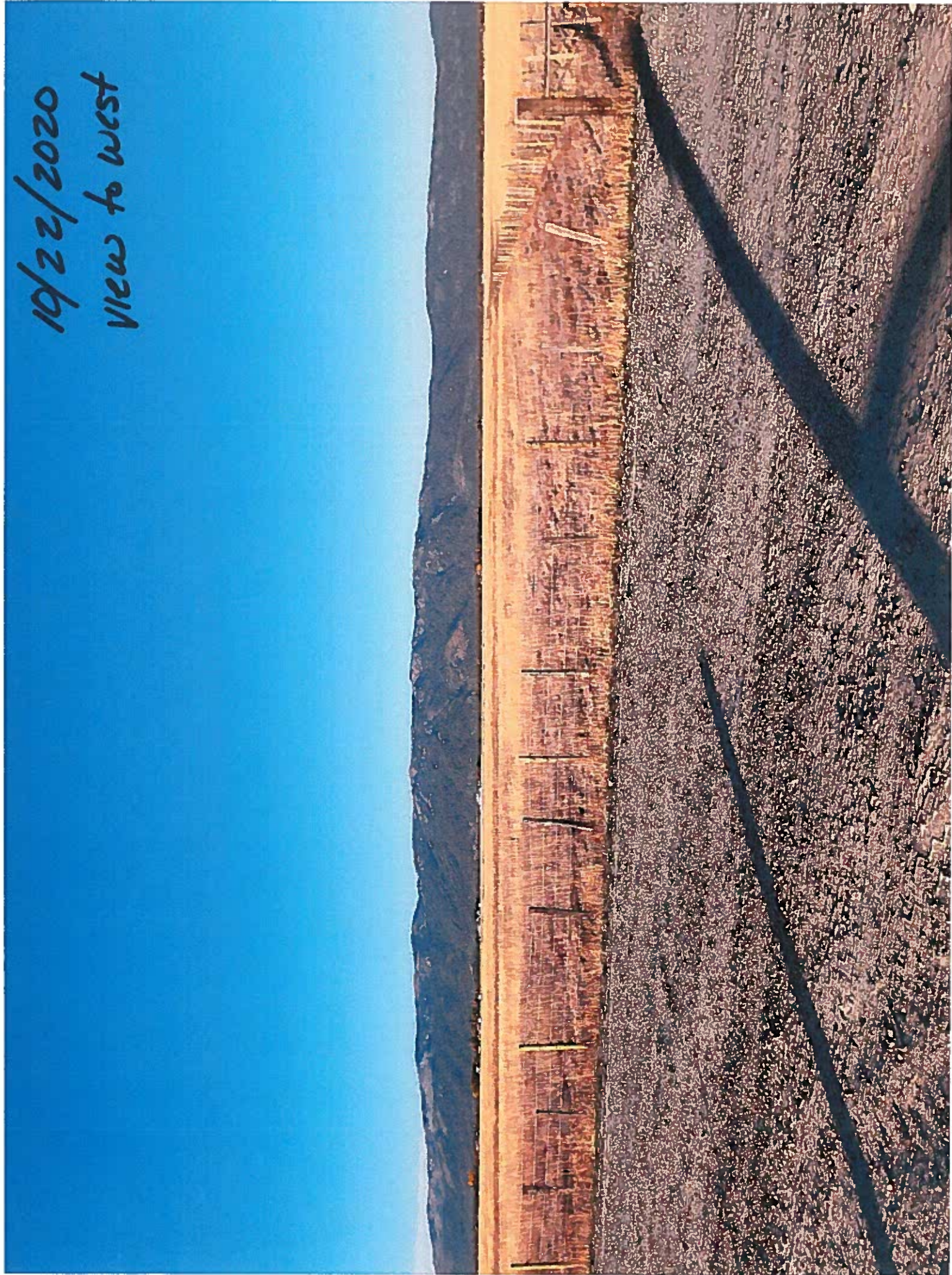
0202/22/61

PUBLIC NOTICE



PUBLIC NOTICE

10/22/2020
view to west





IDAHO TRANSPORTATION DEPARTMENT

Division of Aeronautics
3483 Rickenbacker Street • Boise ID 83705

(208) 334-8775
itd.idaho.gov/aero

October 21, 2020

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

Dear Cynda,

Thank you for inviting us to review upcoming public hearing notices concerning development in Valley County. In response to C.U.P 20-29 Kemp Private Airstrip we would like to enter our statement of recommendations before the proposed project is approved.

The Idaho Division of Aeronautics has no formal procedures relative to the development or operation of a private airport. We do ask that the proponent keep us informed throughout the development and construction process. The Division may be able to provide useful information and technical assistance.

Approval will depend on Valley County Zoning laws or other local ordinances. The Federal Aviation Administration (FAA) does require proponents of a proposed airport/airstrip, which will be open to public use, to submit their Notice on FAA Form 7480-1 per Federal Acquisition Regulation Part 157. The FAA Form 7480-1 can be filed electronically via <https://oeaaa.faa.gov>. If the airstrip is being developed for private use only, we still highly recommend filing an FAA Form 7480-1 especially when the proposed airstrip is in close proximity to other General Aviation public use airports as is the case with the Kemp Private Airstrip location being within 20 miles of Cascade Municipal Airport and McCall Municipal Airport.

The FAA Form 7480-1 should be submitted 45 days prior to construction of the airstrip. This will provide proper airspace clearances from the FAA and should be used in conjunction with Valley County Planning and Zoning ordinances for determination of private airstrip development.

Please feel free to contact the Division of Aeronautics with any additional questions.

Very Respectfully,

Jennifer L. Schildgen

Jennifer L. Schildgen
Airport Planning and Development

RE: Road widening/airstrip project**Cody Janson** <CJanson@parametrix.com>

Tue 9/22/2020 5:59 PM

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

Cc: Doug Camenisch <DCamenisch@parametrix.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.

Hi Cynda,

I have reviewed the provided documents. Given the unique circumstances of this driveway expansion we can support approving the application without an engineered site grading and drainage plan under the following conditions;

- The applicant should make sure all construction efforts protect adjacent waterways and drainage features through the use of localized construction BMP's where needed. Specific locations for consideration include the East Fork Roseberry Ditch, McClintock Drive roadside borrow ditch, and supplemental drainage/irrigation channels on the subject property.
- All existing drainage/irrigation facilities and drainage flows shall be retained and/or improved as provided in the application. No drainage/irrigation impacts to upstream or downstream properties will be allowed. The applicant appears to have addressed these criteria though the extension of the existing culverts but I just wanted to make sure this commitment was understood.

Since this appears to be a land-use change covered under the jurisdiction of Planning & Zoning, we are not approving or providing an opinion on the designated change to a private airstrip. We have not reviewed the site to determine if this requested change meets all local/state/federal criteria.

If there is anything you would like us to review or consider outside of the site grading or drainage requirements please let me know.

Please feel free to give me a call if you would like to discuss in more detail.

Thank you,

Parametrix

ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

Cody Janson

Project Manager / ESOP Trustee

208.898.0012 | office

208.906.1154 | direct

208.921.5480 | cell



From: Cynda Herrick <cherrick@co.valley.id.us>**Sent:** Tuesday, September 22, 2020 7:47 AM

To: Cody Janson <CJanson@parametrix.com>
Cc: Doug Camenisch <DCamenisch@parametrix.com>
Subject: Fw: Road widening/airstrip project

Cody,

Attached is the information for an application for an airstrip. The airstrip is just an expanded driveway.

The applicant is having difficulty finding an engineer to prepare a stormwater management plan and site grading plan. The culverts are already in place.

Question: Will the information suffice for your approval or should I tell him to continue looking for an engineer?

Thanks, Cynda

Cynda Herrick, AICP, CFM
Valley County
Planning and Zoning Administrator
Floodplain Coordinator
PO Box 1350
Cascade, ID 83611
(208)382-7115

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."

S Service
T Transparent
A Accountable
R Responsive

From: TJ Kemp <orthobiker@gmail.com>
Sent: Monday, September 21, 2020 8:27 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Re: Road widening/airstrip project

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.

Cynda,

I have been working all day on the application. Would you be willing to provide some feedback? If so, please look over the application. I can give you a call tomorrow after lunch to discuss any changes you would like to see made.

Also, the engineers in the valley are very busy and do not seem interested in my little project. I do not believe that they will be able to provide a Storm Water Plan by the end of this month, based on the conversations that I have had with them. I am hoping that there is some way to waive this requirement given that this is a simple project involving a previously installed road that has likely already been through an engineering process. In addition, there is flowing water on the property for only about 3 weeks during spring run-off. The existing culverts manage that water well based on my observations. There has never been any flooding over the current road or any water issues at all on the property as it relates to this road. I will not be adding any significant grading that would alter this runoff. I don't want to break any rules, but if there is any way to either use the previous Storm

Water Management Plan on file or waive the requirement given the simplicity of the project, it would save money, effort and time. I hope this is a reasonable request.

Attached are the documents that I have completed for the application. These are drafts only. Please do not accept these as my final submission.

I hope we can talk tomorrow.

TJ Kemp, M.D.
Orthopaedic Foot and Ankle Surgeon
Allied Orthopaedics
Direct Orthopaedic Care
Boise, ID
tjkempmd.com
alliedortho.com
boisedoc.com

On Mon, Sep 21, 2020 at 8:41 AM Cynda Herrick <cherrick@co.valley.id.us> wrote:

Yes, I am here today.

Please feel free to call.

Thanks, Cynda

Cynda Herrick, AICP, CFM
Valley County
Planning and Zoning Administrator
Floodplain Coordinator
PO Box 1350
Cascade, ID 83611
(208)382-7115

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."

S Service
T Transparent
A Accountable
R Responsive

From: TJ Kemp <orthobiker@gmail.com>
Sent: Saturday, September 19, 2020 11:33 AM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Road widening/airstrip project

| |
|---|
| 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. |
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Cynda,

My name is TJ Kemp. Don Lojek contacted you last week in regards to a project that I am hoping to complete on my property in Valley County.

I am hoping to widen an existing road on my property. One purpose for widen the road is to potentially land a small airplane on it. This is not a new road project. The road in question was installed under permit by the previous owner of the property. It has been established for many years.

If I were to land a small airplane, it would be 2 to 3 times per month. It will be for private use only. I live in Boise and would like to be able to fly into my property on some weekends, weather permitting. I do not intend to land there in the winter.

I have drawings, coordinates, and other information that I can provide as part of an application for a conditional use permit.

I would like to speak with you over the phone about the project. I would prefer to meet you in person, however, I live in Boise and won't be up again for a couple of weeks. Are you available on Monday to talk?

I look forward to working with you and the county on this project.

Sincerely,

TJ Kemp
Land Owner



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 North Orchard Street • Boise, ID 83706 • (208) 373-0550
www.deq.idaho.gov

Brad Little, Governor
Jess Byrne, Director

October 23, 2020

By e-mail: cherrick@co.valley.id.us

Cynda Herrick, AICP, CFM
Planning & Zoning Administrator
Valley County
P.O. Box 1350
Cascade, Idaho 83611

Subject: CUP-20-27 Ed Staub Drivers' Office – Amendment to CUP-19-28; CUP-20-28 Eis RV Site;
CUP-20-29 Kemp Private Airstrip; and CUP-20-30 Willow Creek Vista Multiple Residence

Dear Ms. Herrick:

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: deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts.

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).
- 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 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. Information on fugitive dust control plans can be found at: http://www.deq.idaho.gov/media/61833-dust_control_plan.pdf
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their

ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss 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 (208) 373-0550.

3. WASTEWATER AND RECYCLED 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: deq.idaho.gov/water-quality/drinking-water.aspx). 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 (208) 373-0550.

4. SURFACE WATER

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.
- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA 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.
- 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 (208) 334-2190 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 (208) 373-0550.

5. HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **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.

- 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, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **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 (208) 373-0550.

6. ADDITIONAL NOTES

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

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator
DEQ-Boise Regional Office

ec: EDMS#2020AEK239



Valley County Transmittal
Division of Community and Environmental Health

Return to:

- ☐ Cascade
☐ Donnelly
☐ McCall
☐ McCall Impact
☒ Valley County

Rezone # _____

Conditional Use # CUP 20-29

Preliminary / Final / Short Plat Kemp Private Airstrip
Gold Fork Rd
Sec 18

- ☒ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☐ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☐ central water
☐ individual sewage ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☐ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☐ central water
- ☐ 10. Run-off is not to create a mosquito breeding problem
- ☐ 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☐ 14. _____

Reviewed By: [Signature]

Date: 10/13/20



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

October 19, 2020

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

RE: C.U.P. 20-29 Kemp Private Airstrip

After review, the Donnelly Rural Fire Protection District approves C.U.P. 20-29 Kemp Private Airstrip.

Please call 208-325-8619 with any questions.

Jess Ellis

Fire Marshal
Donnelly Fire Department

Proposed private air strip at East of Gold Fork Rd

Nancy Brown <jnbrown19@gmail.com>

Tue 11/3/2020 10:49 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.

We are responding to the proposal for a new landing strip near Gold Fork Road. We are FOR this landing strip as there are no small landing strips close by.

It would involve minimal traffic for this area as the little usage and noise would be very minimal. Small planes do not make a high level of noise.

It has been stated that this would effect wildlife....However, That is a non-issue as there are very few wildlife

in that area around Barker Lane and Gold Fork Roads. The facts are, since our family have a small single engine plane - going often into the back country- wildlife never seem to be disturbed. We live in Simpco Estates just up Barker Lane and seldom see deer or other wildlife below the hills there anyway.

Potential Fire risk is a non-issue as there have never been a fire in the West started by aircraft. Those are begun by careless campers. We Must process these facts logically!

This is being blown out of proportion to the truth of the of need an airstrip outside of McCall, and is only desired by 1-2 persons so should not be a noise issue. The facts are that the air traffic landing pattern would Not be over Simpco area, as experienced pilots will attest to.

We hope that you will consider this to be a Positive addition for our area. We hope that the logic of this plan will be seen.

James and Nancy Brown

208-608-4100

jnbrown19@gmail.com

From: Kurt Stelling <hoggrumble@yahoo.com>
Sent: Wednesday, November 4, 2020 3:45 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Cc: Michele Stelling <mkwilliams63@yahoo.com>
Subject: Airstrip proposal in Donnelly C.U.P. 20-29

To whom it may concern,

In reference to C.U.P. 20-29 (Kemp Private Airstrip), we are property owners in Simpco Estates to the East of the proposed Airstrip. We do not oppose the project as long as certain conditions and guidelines are followed for landing and takeoffs. If avoiding a flight path over any part of Simpco Estates, including the private lake and wildlife corridor is possible, we would not object. We are both employed in, and love the aviation industry but value the peace and quiet of our neighborhood more.

Sincerely,
Kurt and Michele Stelling

C.U.P 20-29 Kemp Private Airstrip**James Miller <mill47jf@gmail.com>**

Mon 11/2/2020 5:55 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.

We are property owners at 318 Barker Loop, Donnelly, ID (Simpco Estates) and recently learned about a request for a conditional use permit to construct a private airstrip less than a half mile from our quiet community.. Not knowing the extent of flight frequency or size of aircraft is unacceptable at best. However, we are very concerned about low flying aircraft disturbing the tranquility of this area and an increased fire hazard from a flight mishap to our heavily adjacent timbered geography. It would appear that departures would predominantly be from east to west over the valley but the landing approach may commonly occur overhead of Simpco Estates and adjoining timber For these reasons we object to this project and would encourage P&Z to deny this request.

Sincerely,
James F. & Toni L. Miller
Property Owners .

RECEIVED

NOV 04 2020

Dear Planning and Zoning Commission,

I am writing in opposition to the proposed private airstrip and its applicant Travis Jay Kemp. I wanted to voice my concerns before the meeting because I fear that issues and restrictions due to the current Covid pandemic may make it challenging for residents to attend the planned meeting that is set for November 12. It is my strong belief that a private airstrip on Gold Fork Road will have a negative impact on the community for several reasons. Pollution, both noise and chemical, as well as property values and county income will all be negatively affected by a private airstrip.

Valley county, and Donnelly in particular, is a very quiet and peaceful community. Residents enjoy the wildlife, scenery and peace and quiet as a way of life, it's not just a weekend getaway; it is everyday. Travis has stated that the noise from a Cessna airplane is around 85 decibels. That is the noise inside the aircraft, which is considerably less than the noise outside of the airplane. A moving aircraft causes air around it to be compressed, causing noise waves. Large fans at the front of an engine, as well as propellers, also cause noise waves. As air gets compressed, it reverberate against the aircraft's surfaces and makes noise. This noise can be loudest when the aircraft is taking-off as well as when it is landing due to change in engine thrust, similar to a motor vehicle accelerating, and when the flaps and landing gear are used. Noise waves from an aircraft can travel as far as 10km. Airplane noise inside the plane is greatly reduced because they are well insulated and the engine points away from the cabin, the noise pollution outside of a plane is much greater. Residents, wildlife and cattle on neighboring ranches will all be affected by this "white noise". Noise is not the only pollution that a private airstrip will bring to the community. Odor and environmental pollution is also an issue. Airplane fuel combustion is very smelly and produces Ozone and black carbon, both are health and environmental hazards. As a combustible dust, black carbon is designated by OSHA as a hazardous chemical. Ozone is a highly reactive gas and can cause breathing difficulties and other health issues, even in small levels.

A decrease in property values is also a concern when considering a private airstrip. One of the biggest concerns for homebuyers considering buying a home near a runway is the noise. Statistics are showing that homes sold in the proximity of an airstrip, areas with noise levels of 65 decibels or higher sell for about 10.1% less than their equivalent in quieter areas. The effect of air pollution is also negatively affecting the property value near airstrips and noise pollution is an even more deterring factor. Other common impacts that aviation has over property value are safety, traffic and scenery. Many homeowners will have no choice but to

file property tax appeals, citing the local airstrip noise and pollutions effect on their quality of life, as property values decrease.

Loss of revenue is also a consideration when weighing the pros and cons of a private airstrip. Jobs are a premium in Valley county; local revenue and jobs will be adversely affected with the loss of airport fees. Concerns about FAA regulations and usage are also harder to track and enforce. There is always a chance of an accident and the local community is being put at risk. An airport is equipped to deal with such an emergency and a private airstrip is not. Having a fire extinguisher handy is not a viable solution/precaution when considering the possibility of an accident. Donnelly D Coski Memorial Airport is 4 miles from Mr. Kemps property and any "convenience" he may receive by not having to land there is negated by the loss of revenue and potential safety concerns. Furthermore, any structures or land usage plans by neighbors can be eliminated or altered due to new flight plans and airstrip regulations. Individual income that may be generated by structure or by land usage will be lost.

There are many things to consider when determining if a private airstrip is good for the community. The cons of this proposal far out weigh the pros. Pollution, property values and loss of revenue are all major factors I hope you will take in consideration when reviewing this application. Donnelly is a quiet, peaceful community and the residents will tell you that we would like to keep it that way. Adding unnecessary pressures to the local environment will undermine and forever change the community and quality of living. I thank you for your time and I hope that you Not approve Mr. Kemps application for a private airstrip.

Sincerely,



Todd A. Tinstman
full-time resident
Simpco Estates
12983 Leland Dr.
Donnelly, ID 83615

From: Bob Luffel <bob@alpineastro.com>
Sent: Wednesday, November 4, 2020 5:37 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: Comments on P&Z Hearing CUP 20-29, Kemp Private Airstrip

Hello Cynda,

I would like to comment on a conditional use permit filed by Travis Jay Kemp, for the construction and operation of a private airstrip east of Roseberry (CUP 20-29). Could you let me know that you got this message? Thank you.

The permit application covers the physical improvements for the runway construction, but does not cover several of the aspects that are of particular importance in establishing the impacts of the resulting close *aircraft use* on the surrounding neighbors, and whether this airstrip and related air traffic would create an unreasonable detriment.

Noise Impact Considerations

- I believe the primary impact to myself and our neighborhood is the noise from aircraft regularly flying low over our area. This noise could be detrimental to the peaceful enjoyment of our homes, and disruptive to the large variety of wildlife in our area. An argument could probably be made that excessive aircraft noise could impact property values. Our subdivision owns and maintains a stocked fishing lake as well as over a mile of wetland area that is designated as a wetland and wildlife corridor with the state fish and game dept. This corridor and our lake are used regularly by moose, permanent herds of elk, deer, and many species of birds (Osprey, Nesting Bald Eagles, Great Grey Owls, and others). The application fails to provide the information necessary to judge the level and likelihood of this noise impacting our area.
- Notably, the application does not provide any information on routes used for takeoff and landing. As a close neighbor, I need to know what the landing approach and take-off routes look like to know whether aircraft will fly close to my home or not. I suspect this is not the case, based on the surrounding terrain, but I can envision routes that pass directly over our neighborhood as aircraft come up from the south and approach from the east. Also, will the routes regularly take the aircraft over our community lake and wildlife corridor (see attached map). I would also expect to see the aircraft altitude specified along the designated routes so that their noise level could be assessed. I see this information as critical to determining whether this application should be approved.
- The decibel ratings given in the application only apply to noise emission levels inside an aircraft cockpit and the maximum safe exposure time. They do not give a relevant assessment of the external noise level and nuisance experienced by the local neighbors as the aircraft pass overhead at low altitude. I personally believe that the noise level from the mentioned light aircraft (Cessna 206) would *not* be objectionable, but I would ask that the noise level approved by the permit be limited to that level or lower, since there are many other aircraft that could be used in the future, that have greater noise emissions and could be objectionable. Alternatively, with some research, an actual sound pressure and power level could be specified at a given

condition (distance). Also, see the following comment on frequency of use. The nuisance experienced by neighbors will be directly related to the noise level and how often it occurs.

- I appreciate that the applicant quantified and estimate of the *approximate* number of takeoff and landings per month. I believe that 4 such takeoff and landings per month would *not* be any detriment to us or our neighbors and I would certainly support that (if given the other relevant information noted elsewhere in these comments). However, I would request that a maximum number of takeoffs and landings be specified as a condition of the permit approval. I would suggest a number greater than 4 per month, but less than 30 per month (one per day), so as not to unreasonably limit the applicant's use.

Safety Considerations

There are other important aspects that need to be researched and verified prior to approving this permit request.

- Does the airstrip meet any applicable FAA guidelines for small private airstrips, particularly for Runway Protection Zones? My immediate concern would be for the residents in the property located on Gold Fork Road immediately to the west-southwest of the runway, or adjacent homeowners in Roseberry Estates. Also, any future homes built in this general area would be of concern from a safety point of view as well as a nuisance point of view. For instance, the FAA requires that Airports have sufficient interest in the trapezoidal zones off the end of the runway to protect aircraft from future obstructions and incompatible use (airport to either own or secure an easement for this zone). This especially serves to protect people and property on the ground in the event that an aircraft lands or crashes adjacent or beyond the runway end.
- Is the airstrip only for use by the permittee and their families/guest (Dr. Kemp), or can they allow its use for other parties? The point of the question here is not the right of the property owner to use their property as they wish, it pertains to the number of landings/takeoffs per month, and the type of aircraft allowed to use the runway. If those are adequately limited by the conditions of the permit, then I don't see any issue with allowing other parties to use the airstrip with the applicant's consent.

Permit Conditions

The key to an effective conditional permit as well as gaining the approval of surrounding neighbors is having the applicant provide the necessary information to adequately determine its impact, and then listing appropriate conditions to ensure conformance into the future. At a minimum, I believe there should be conditions on the following:

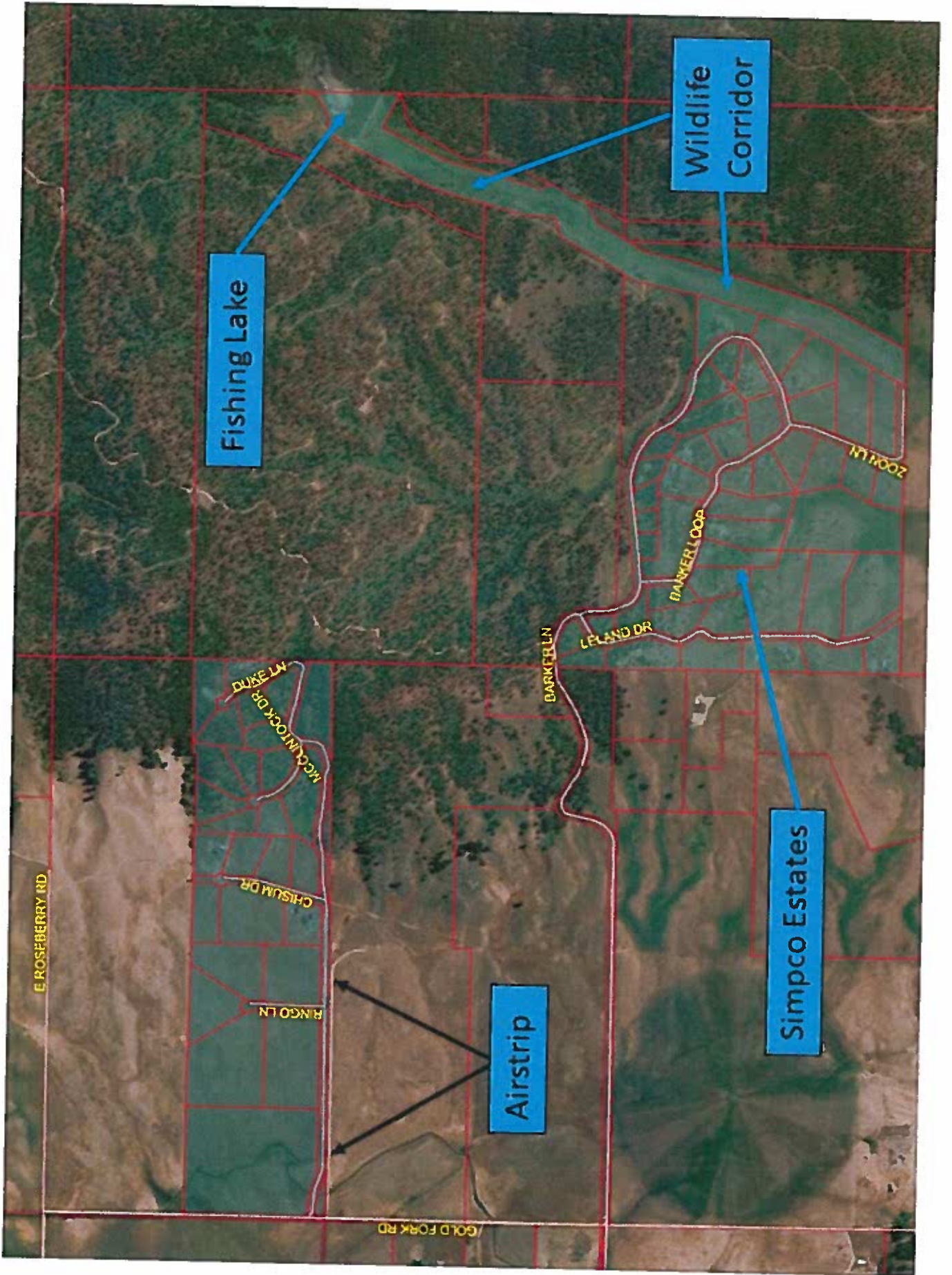
- Maximum uses per month # (1 takeoff and landing = 1 use). I suggested 30.
- Maximum external aircraft noise level (sampled at specified distance or based on specific aircraft model maximum). I suggest that the Cessna 206 be used as the standard.
- No Night Operation
- Approved takeoff and landing routes specified and adhered to.

- Applicant meets all Federal (FAA) and State Guidelines for airstrip location, protection zones, operation, and maintenance.
- Applicant meets all fire marshal requirements for fire prevention and suppression.
- Applicant carries adequate liability insurance on any aircraft using the airstrip.

In general, I support the applicant and his right to use his property as he wishes, including this airstrip. However, I would request that approval of this permit be delayed until the above information and conditions are provided for public review and comment in a future hearing. If this information cannot be made publicly available prior to any approval, then I request that the permit be denied as it is written.

Best Regards,
Bob Luffel

Simpco Estates Homeowner, 303 Barker Loop, Donnelly.



Fishing Lake

Wildlife
Corridor

Simpson Estates

Airstrip

From: RickAvila <rangerrick1955@yahoo.com>
Sent: Wednesday, November 4, 2020 5:35 PM
To: Cynda Herrick <cherrick@co.valley.id.us>
Subject: C.U.P. 20 - 29 Kemp Private Airstrip

To whom it may concern,

This proposal seems to put the convenience of one property owner in the county over the inconvenience and intrusion of many other property owners. I can see the allure of stepping out of your aircraft and walking into your house, but I cannot see why another airstrip is needed in Valley County when there are already 3 airstrips between Cascade and McCall. The Donnelly airstrip is so close already, it is only about 10 minutes from the requested location. Not only would this airstrip be disruptive to neighboring property owners, but it could pose a possible fire hazard due to accidental landing or take off failures. And finally, peace and quiet is a valuable commodity and one of the reasons we have chosen to live here.

Thank you,
Rick and Dede Avila