SUB 25-013 Eld Ranch Estates – Appeal of PZ Commission Approval

From: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Sent: Tuesday, August 19, 2025 12:00 PM
To: Mark Young <mark@k2excavation.org>
Cc: Cynda Herrick <cherrick@valleycountyid.gov>; Berkley,Regan <regan.berkley@idfg.idaho.gov>; Royse,Josh <josh.royse@idfg.idaho.gov>
Subject: Re: SUB 25-013 Eld Ranch Estates – Appeal of PZ Commission Approval

Hi Mark,

In response to your request for IDFG to provide information related to the appeal of the approval of the Eld Ranch Estates project (SUB 25-013), IDFG offers the following comments and recommendations for Valley County planners and County Commissioners to consider in their decision-making process. Although a single project may not have a population level impact on wildlife species, IDFG is concerned about the seemingly rapid growth of residential development projects in Valley County and the cumulative effects that could result in impacts to wildlife and the habitat they rely on. We encourage Valley County to be thoughtful in their consideration of projects to ensure that fish, wildlife, and recreation resources are protected, as stated in the Valley County Comprehensive Plan.

Responses to your specific requests:

Wildlife Impact Study
IDFG does not perform wildlife impact studies on private property. The intent of a wildlife impact study would be to quantify species presence and abundance on the project property and then provide measures to avoid, minimize, or offset impacts to wildlife species and their habitat at a population level. We have looked at data contained in the Idaho Fish and Wildlife Information System (IFWIS) database, along with local biologist knowledge, and we do not believe a wildlife impact study of the project property would provide significant new information about wildlife in the area. Below, IDFG offers some recommendations for avoiding and minimizing impacts on wildlife species in the area.

Elk Herds
The project property is located in Game Management Unit (GMU) 24, which is part of the McCall elk zone. The McCall elk zone is made up of GMUs 19A, 23, 24, and 25. The zone was last surveyed in 2022. At that time, estimated cow elk numbers were within IDFG's objective range, and bull elk numbers were slightly above IDFG's objective range.

IDFG is aware that there are elk using the area around the proposed project. There are landowners near the project property who have experienced chronic elk depredations on their private rangelands or crops. IDFG has worked with other local landowners to grow certain crops that will attract elk and keep them off the property that experiences chronic depredation. Because of this effort, we know that between 100 and 200 elk use the area year-round and have become habituated to the area.

However, IDFG does not have radio collars on elk in Valley County and, therefore, we do not have the empirical data needed to map elk movements or delineate any wildlife movement "corridors" in or around the area with any certainty or accuracy. Although it is possible that elk may move through and around the proposed development, we cannot say with any certainty how elk will interact with the development or how the development might affect elk populations.

Eagles and other Raptors

Eagles and other raptors move freely throughout the area and could potentially nest in the vicinity of the project property. Eagles are protected under the federal Bald and Golden Eagle Protection Act and other raptors and native migratory birds are protected under the federal Migratory Bird Treaty Act. The details of these laws and the enforcement of them is the responsibility of the U.S. Fish and Wildlife Service. IDFG is not aware of any active eagle or raptor nests in the vicinity of the project property. Eagle nests may not be disturbed or destroyed, even outside of the nesting period when eagles are not present. Other raptor nests, and the trees they are in, may not be destroyed if they are active (eggs or chicks present) but can be removed once the young have fledged and left the nest for the season. To avoid impacts on eagles and raptors in the area, IDFG recommends retaining trees that contain raptor nests.

General Recommendations

In additional, IDFG recommends the following practices for residential developments:

- Residents should control pets, including cats, at all times (fenced yard, keep indoors, kenneled, leashed, etc.). Pets allowed to roam freely dramatically increase a residential subdivision's negative effects on wildlife.
- Avoiding or minimizing the potential for wildlife depredations in a subdivision is the responsibility of the individual property owner.
    - Prohibit the feeding of wildlife and require that potential wildlife attractants (pet food, trash cans, gardens, haystacks, bird feeders, etc.) be maintained in a way to reduce attraction of wildlife species (skunks, foxes, raccoons, magpies, big game, etc.).
        - For example, leaving livestock feed outside will attract big game animals. Make sure any feed is stored in a closed barn or shed.
        - Trash receptacles that are not certified bear-resistant, or that are left outside overnight or longer, will attract wildlife including bears. Residents should use certified bear resistant trash receptacles, or keep trash stored inside until the morning of pickup.
            - The developer and individual homeowners should be made aware that ornamental plants can attract big game animals and they will eat those plants. Therefore, protecting ornamental plants is the responsibility of the individual property owner.

    - Yew species are highly toxic to wildlife, pets, and humans and should not be used as landscaping plants.

- Native vegetation should be retained to the extent possible during project implementation to support native birds, small mammals, and pollinator species.
- Retain buffers of riparian vegetation that surround any wetland resources on the project property.
- If ponds exist or are developed on the project property, legal water rights issued by the Idaho Department of Water Resources are required for the appropriate beneficial use (storage, irrigation, recreation, etc.). If the ponds will be used for fishing, a private pond permit from IDFG is required to stock the ponds with fish, and a live fish transport permit from IDFG may also be required.
- All fencing within and around the subdivision should be wildlife friendly. This link provides a wildlife friendly fencing publication from Montana Fish, Wildlife, and Parks: : https://fwp.mt.gov/binaries/content/assets/fwp/conservation/land-owner-wildlife-resources/a_landowners_guide_to_wildlife_friendly_fences.pdf. Pay close attention to pages 5-6 and 10 as you plan the project and consider fence designs in the CC&Rs. The need for fencing and the intent for the fencing are important considerations for what type of fencing is most appropriate. IDFG can provide additional technical assistance or review the draft fencing language for the CC&Rs, upon request.

Thank you for requesting information from IDFG. Please let me know if you have additional questions.

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

From: Mark Young <mark@k2excavation.org>
Sent: Wednesday, August 13, 2025 2:54 PM
To: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Subject: SUB 25-013 Eld Ranch Estates – Appeal of PZ Commission Approval

Hello Brandon,

As we discussed on July 31, 2025, Valley County P&Z Commission received an appeal request to our approved project. In that appeal letter, there are a few items of concern that

the appealer has noted that they want to County to consider which I have previously sent over but here is a quick summary.

- Request for a wildlife impact study.
- Considers the area a major migratory corridor for big game and haven for raptors and eagles.
- Development is adjacent to an existing wildlife corridor potentially resulting in legal implications.
- And other environmental evaluation needed.

We have had the opportunity to discuss your position and thoughts a couple of times now, but in an effort to provide an updated response to the Country Commissioners for the 27th August hearing, I am requesting that you provide your comments via email in response to this email.

As a reminder, our project will be rolled out in multiped phases. Phase 1 is the small area located next to Gold Fork Road. Other phases are closer to the wooded area to the east. Lot sizes will be large and there will be a fair amount of open space in the development.

If you could also include the summary of recommended best practices and fencing guidelines, that would be greatly appreciated. Our intent is to wrap those guidelines into our future CC&R's.

Best regards,

Mark Young | Contracting & Finance
K2 Excavation & Construction, LLC
mark@k2excavation.org
C 858.232.4586

Outlook

Fw: Eld Ranch Subdivision

From Flack,Brandon <brandon.flack@idfg.idaho.gov>
Date Fri 4/25/2025 4:41 PM
To Cynda Herrick <cherrick@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>

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

Cynda and Lori,

I provided the email below to Mark Young and forgot to copy you both on it. My apologies. Have a great weekend!

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

From: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Sent: Friday, April 25, 2025 4:38 PM
To: Mark Young <mark@k2excavation.org>
Cc: Berkley,Regan <regan.berkley@idfg.idaho.gov>; Messner,Jordan <jordan.messner@idfg.idaho.gov>; Royse,Josh <josh.royse@idfg.idaho.gov>
Subject: Re: Eld Ranch Subdivision

Hi Mark,

Here are some items to think about as you develop your application for the county.

- There are wetlands in the area of development. It would be wise to include building setbacks from aquatic resources so the project does not negatively affect them. IDFG would prefer to see buildings at least 100 feet from any streams, lakes, or wetlands.
- The Gold Fork River is an impaired waterway and Laffinwell Creek drains into it. We assume you are going to propose individual wells and septic systems for each building lot. There is little information available about how septic systems might contribute to reduced water quality in the Cascade area. It would be great if a study or an analysis were performed to show that septic systems won't contribute to poor water quality.
- Although IDFG does not currently have the ability to delineate elk migration pathways, summer or winter range, or calving habitat, we know that elk use this area year-round. This is partially due to feeding operations that occur in the winter time on private property north of the Gold Fork River. IDFG has worked with some landowners to plant certain crops that attract the elk to keep them from depredating on valuable crops planted by other landowners. IDFG has some concern about continued growth and development leading to additional or more concentrated depredations in the area. This is a situation that is multi-faceted and I am not sure if there is an easy solution. But, it is a concern.

In general, IDFG recommends the following practices for residential subdivisions/developments that you could consider incorporating into your CC&Rs:

- Residents should control pets, including cats, at all times (fenced yard, keep indoors, kenneled, leashed, etc.). Pets, at-large, dramatically increase a residential subdivision's negative effects on wildlife.
- Avoiding or minimizing the potential for wildlife depredations in a subdivision is the responsibility of the individual property owner.
    - Prohibit the feeding of wildlife and require that potential wildlife attractants (pet food, trash cans, gardens, hay stacks, bird feeders, etc.) be maintained in a way to reduce attraction of wildlife species (skunks, foxes, raccoons, magpies, big game, etc.).
        - For example, leaving livestock feed outside will attract big game animals. Make sure any feed is stored in a closed barn or shed.
        - Trash receptacles that are not certified bear-resistant, or that are left outside overnight or longer, will attract wildlife including bears. Residents should use certified bear resistant trash receptacles, or keep trash stored inside until the morning of pickup.
    - The developer and individual homeowners should be made aware that ornamental plants can attract big game animals and they will eat those plants. Therefore, protecting ornamental plants is the responsibility of the individual property owner.
    - Yew species are highly toxic to wildlife, pets, and humans and should not be used as landscaping plants.
- Native vegetation should be retained to the extent possible during project implementation to support native birds, small mammals, and pollinator species.
- Retain buffers of riparian vegetation that surround any wetland resources on the project property.
- If ponds exist or are developed on the project property, legal water rights issued by the Idaho Department of Water Resources are required for the appropriate beneficial use (storage, irrigation, recreation, etc.). If the ponds will be used for fishing, a private pond permit from IDFG is required to stock the ponds with fish, and a live fish transport permit from IDFG may also be required.
- All fencing within and around the subdivision should be wildlife friendly. IDFG can provide additional details upon request.

Hopefully this is helpful. Please let me know if you have additional questions.

Thanks,

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

From: Mark Young <mark@k2excavation.org>
Sent: Thursday, April 24, 2025 11:30 AM
To: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Cc: Berkley,Regan <regan.berkley@idfg.idaho.gov>; Messner,Jordan <jordan.messner@idfg.idaho.gov>
Subject: Re: Eld Ranch Subdivision

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Brandon,

Our plan is to go final with our application on the 16th of May. I would like to be able to include your comments with the package.

I appreciate your help and understand that things are getting busy. Thanks for keeping this going and helping out.

Best

Mark Young | Contracting & Finance
K2 Excavation & Construction, LLC
mark@k2excavation.org
C 858.232.4586

From: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Date: Thursday, April 24, 2025 at 9:24 AM
To: Mark Young <mark@k2excavation.org>
Cc: Berkley,Regan <regan.berkley@idfg.idaho.gov>, Messner,Jordan <jordan.messner@idfg.idaho.gov>
Subject: Re: Eld Ranch Subdivision

Hi Mark,

Thanks for checking back on this. It has been a very busy couple of weeks and we have all had planning and coordination meetings in preparation for the upcoming field seasons. This is on my radar. To keep me on task, do you have a deadline for when you'd like to receive our comments? In other words, when do you plan to submit your application to the county? We may have already talked about that and I apologize if that's the case.

Thanks,

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

From: Mark Young <mark@k2excavation.org>
Sent: Thursday, April 24, 2025 9:18 AM
To: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Cc: Berkley,Regan <regan.berkley@idfg.idaho.gov>; Messner,Jordan <jordan.messner@idfg.idaho.gov>
Subject: Re: Eld Ranch Subdivision

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Hello Brandon,

I wanted to check back in and see if you had any questions or comments/updates.

Thanks

Mark Young | Contracting & Finance
K2 Excavation & Construction, LLC
mark@k2excavation.org
C 858.232.4586

From: Mark Young <mark@k2excavation.org>
Date: Monday, April 14, 2025 at 9:17 AM
To: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Cc: Berkley,Regan <regan.berkley@idfg.idaho.gov>, Messner,Jordan <jordan.messner@idfg.idaho.gov>
Subject: Re: Eld Ranch Subdivision

Hello Brandon,

Nice to talk with you last week and here is the additional information you requested. If you need anything else, please let me know.

Phases	LOT	Acres	Anticipated Dates for Development
Phase 1	20	48	Aug 2025 to Sept. 2026
Phase 2	14	44	Aug 2026 to July 2027
Phase 3	16	58	Aug 2027 to July 2028
Phase 4	14	120	Aug 2028 to July 2029
Phase 5	6	80	Aug 2027 to July 2029
Lake		24	TBD when we build out a walking path around the lake.
	60+	374	

Google location for center of property. 44°42'12.3"N 116°00'27.0"W

Thanks for the time and looking forward to hearing back from you with comments and direction.

Best

Mark Young | Contracting & Finance
K2 Excavation & Construction, LLC
mark@k2excavation.org
C 858.232.4586

From: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Date: Wednesday, April 9, 2025 at 3:22 PM
To: Mark Young <mark@k2excavation.org>
Cc: Berkley,Regan <regan.berkley@idfg.idaho.gov>, Messner,Jordan <jordan.messner@idfg.idaho.gov>
Subject: Re: Eld Ranch Subdivision

Hi Mark,

I left you a voicemail.

Do you have any plans you can send along for us to look at so we have a better idea of what you want to do? I'm also curious why Cynda asked you to speak with us about your project. Is there something specific that jumped out at her (or you) that she wants us to look at and help you with?

Since IDFG is not the decision maker for county projects, I like to keep the county representatives in the loop so I am CCing Cynda just to keep her up to date on any email correspondence between us.

Thanks,

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

From: Mark Young <mark@k2excavation.org>
Sent: Tuesday, April 8, 2025 2:55 PM
To: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Subject: Eld Ranch Subdivision

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hello Brandon,

I just left you a voice mail about our new subdivision project. Here is the location of the subdivision in Valley County and attached county plat. In talking with Cynda, she suggested we have a conversation and review our plans. Thank you in advance for your time and consideration.

https://maps.app.goo.gl/saJukvy1cZYrcLfG7

Best

Mark Young | Contracting & Finance
K2 Excavation & Construction, LLC
mark@k2excavation.org
C 858.232.4586

Your Safety • Your Mobility
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IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

July 25, 2025

Cynda Herrick
Planning & Zoning Director
219 North Main Street
Cascade, ID 83611

VIA EMAIL

Development Application	Appeal for SUB 25-013
Project Name	Eld Ranch Estates Subdivision
Project Location	Parcel RP16N04E199005
Project Description	Single-Family Home with 20 Buildable Lots (Phase 1 of a Potential 8 Phase Development)
Applicant	Greater Good Investments, LLC

The Idaho Transportation Department (ITD) reviewed the referenced application(s) and has the following comments:

1. With the potential of an 8-phase development, ITD would like to review a master site plan for this subdivision to better understand the impact this development may have at full buildout.
2. ITD reserves the right to make further comments upon review of the submitted documents.

If you have any questions, you may contact me at 208-334-8377.

Sincerely,

Kendra Conder

Kendra Conder
Development Services Coordinator
Kendra.conder@itd.idaho.gov

CENTRAL DISTRICT HEALTH

Valley County Transmittal

Division of Community and Environmental Health

Return to:
- ☐ Cascade
- ☐ Donnelly
- ☐ McCall
- ☐ McCall Impact
- ☑ Valley County

Rezone # _____

Conditional Use # _____

(Preliminary) / Final / Short Plat SUB 25-013 Elk Ranch Estates

_____

- ☐ 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
  - ☐ bedrock from original grade
  - ☐ waste flow characteristics
  - ☐ 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
  - ☐ interim sewage
  - ☐ individual sewage
  - ☐ community sewage system
  - ☐ central water
  - ☐ individual water
  - ☐ community water well
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
  - ☐ central sewage
  - ☐ sewage dry lines
  - ☐ community sewage system
  - ☐ central water
  - ☐ community 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
  - ☐ beverage establishment
  - ☐ swimming pools or spas
  - ☐ grocery store
  - ☐ child care center
- ☑ 14. Subdivision application, fees, test holes, ground water monitoring and engineering report required

Reviewed By: Brad J. Copus

Date: 7 / 1 / 25

From: Neil Shippy <neil.waterdistrict65@gmail.com>
Sent: Monday, June 16, 2025 12:11 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Re: Eld Ranch Estates

Yes, that would be 31-3805

Neil Shippy
Watermaster
Water District 65
Cell 208-550-1276
Office 208-642-4465

On Mon, Jun 16, 2025, 10:03 AM Cynda Herrick <cherrick@valleycountyid.gov> wrote:
Thank you for the response Neil. Will you please cite the statute.

Thanks, Cynda

Cynda Herrick, AICP, CFM
Valley County
Planning and Zoning Director
Floodplain Coordinator
PO Box 1350
Cascade, ID 83611
(208)382-7116

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."
S*ervice* **T***ransparent* **A***ccountable* **R***esponsive*

From: Neil Shippy <neil.waterdistrict65@gmail.com>
Sent: Monday, June 16, 2025 9:52 AM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Eld Ranch Estates

Good morning Cynda,

This subdivision will be required to install an irrigation system to deliver water to each parcel per Idaho statute.

This property has a portion of two water rights.

Neil Shippy
Watermaster
Water District 65
Cell 208-550-1276
Office 208-642-4465

Donnelly Rural Fire Protection District
P.O. Box 1178 Donnelly, Idaho 83615
208-325-8619 Fax 208-325-5081

June 23, 2025

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

RE: Eld Ranch Estates

After review, the Donnelly Rural Fire Protection District will require the following.

- All roads shall be built to Valley County Road Department standards or **Section 503.2 IFC 2018**
- **Section 503.4.1 IFC 2018** Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the fire code official
- **Section D103.4 IFC 2018** Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turn around provisions in accordance with table D103.4
- **Section 503.7 IFC 2018** Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet and a minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and 20 feet in width may require turnouts in addition to turnarounds.
- **Section 503.7.5 IFC 2018** all buildings shall have a permanently posted address, that shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and maintained thereafter.
- **Section 503.7.8 IFC 2018** Driveways shall be designed and maintained to support the imposed loads of local responding fire apparatus and shall be surfaced as to provide all weather driving capabilities
- All roads shall be inspected and approved by the DRFPD prior to final plat
- Driveways shall be inspected and approved by Donnelly Rural Fire Protection District personnel prior to certificate of occupancy being issued
- **Section 507.1 IFC 2018** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to the premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction
- The approved fire protection water supply will be a 30,000-gallon underground water storage tank; water tank shall be connected to a well and have automatic fill capability. Fire Department connections shall be a minimum of 4-inch diameter pipe and have a 5-inch Storz connector

- Water tank shall be installed in an approved location. Tank design and specifications shall be submitted for review prior to installation
- Slash, dead timber, ladder fuels and debris shall be removed throughout the subdivision

Please call with any questions you may have.

Thank you,

Jerry Holenbeck
Fire Marshal
Donnelly Fire Department
firemarshal@donnellyfire.net
Cell: (208) 849-2438

Valley County Road and Bridge

PO Box 672 • 520 South Front Street
Cascade, ID 83611-1350

Phone (208) 382-7195
roaddept@co.valley.id.us

RECEIVED
JUL 07 2025
BY:

SUB- 23-013 Eld Ranch Estates

July 2, 2025

The Valley County Road and Bridge Dept. was asked to review this SUB and provide comments related to the anticipated impact to the local roads that will be utilized for accessing the proposed subdivision. SUB 23-013 is a preliminary plat submitted by Greater Good Investments seeking approval of a 20 lots single-family subdivision on 54 acres.

County maintained roads will see increased traffic by the addition of the proposed development if the plat is approved include Gold Fork Road. It is expected that transportation services, including all season road maintenance, road resurfacing, and road rebuilds provided by Valley County Road Dept. will be impacted by the increased traffic.

- Valley County owns a 70' Right of Way along Gold Fork Road just south of parcel
-
- Recommendation (1): Mitigate impacts to transportation services on those roads identified above by negotiating with developer payment of road improvement costs attributable to traffic generated by proposed development. The value of the developers proportionate share may be determined by several methods: (1) Off-site road mitigation cost estimates with a predetermined cost per lot contribution by developer; (2) engage a qualified engineering firm to conduct a traffic study based on proposed development to provide recommendation for proportionate share to be attributed to the developer; (3) negotiate in-kind construction credits for immediate road improvements needs that can be mitigated by developer.

Any or all of the above recommendations that are agreeable to the developer should be memorialized in a future voluntary road agreement negotiated between the Valley County Board of County Commissioners, Valley County Road Dept. and developer identifying the value of road improvement costs contributed.

Sincerely,

Dan Coonce
Public Works Engineer
Valley County, Idaho
dcoonce@co.valley.id.us

EXHIBIT 4
tabbies
SUB 25-013
PZ 7.10.2025

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550

Brad Little, Governor
Jess Byrne, Director

July 28, 2025

Hannah Smith
Valley County Planning & Zoning Permit Technician
P.O. Box 1350
Cascade, Idaho 83611
hsmith@valleycountyid.gov

Subject: Appeal of SUB 25-013 Elds Ranch Estates

Dear Hannah Smith:

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), and open burning (58.01.01.600-617).

- IDAPA 58.01.01.614 sets out the rules for prescribed burning in Idaho. Please ensure all prescribed burning is done in compliance with the rules, and in compliance with the 2010 Operations Guide of the Montana/Idaho Airshed Group.

  For questions, contact David Luft, Air Quality Manager, at 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. 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 (208) 373-0550.

4. **SURFACE WATER**

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity. For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- 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. **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 Conservations 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.

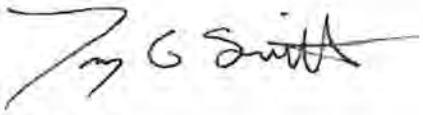
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment 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 Matthew Pabich, 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 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.

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,



Troy Smith
Regional Administrator

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550

Brad Little, Governor
Jess Byrne, Director

June 17, 2025

Lori Hunter
Planning and Zoning
Star City Hall
P.O. Box 1350
Cascade, Idaho 83611
lhunter@valleycountyid.gov

Subject: Public Hearing Notice - July 10, 2025

Dear Ms. Hunter:

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), and trade waste burning (58.01.01.600-617).
   - 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 (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.

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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,

Troy Smith
Regional Administrator

Outlook

Appeal of SUB 25-013, Eld Ranch Estates

From Kendra Conder <Kendra.Conder@itd.idaho.gov>
Date Mon 8/18/2025 11:21 AM
To Lori Hunter <lhunter@valleycountyid.gov>

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 Lori,

ITD has reviewed the application for the appeal of SUB-25-013 and does not have any comments. The Department will review future applications for additional phases and may make further comments at that time.

Thank you!

Kendra Conder
District 3 | Development Services Coordinator
Idaho Transportation Department
Office: 208-334-8377
Cell: 208-972-3190