

Valley County Planning and Zoning

PO Box 1350 • 700 South Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

STAFF REPORT: VAC 26-001 Boyer Vacation of Utility Easement
MEETING DATE: July 27, 2026
TO: Board of County Commissioners
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
APPLICANT: Warren Boyer
2118 S Heritage PL, Boise, ID 83709
PROPERTY OWNER: Warren Boyer, c/o Lu M Boyer, Trustee
1725 Pomander RD, Boise ID 83705
LOCATION: 13128 Tucker RD and 13126 Tucker RD
Lake Cascade Ranch Subdivision Lots 29 and 30, in the W ½ NW ¼
Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho
REQUEST: Vacate the 12-ft Utility Easements Centered on Interior Lot Line
EXISTING LAND USE: Single-Family Residential Lots

Lake Cascade Ranch Subdivision was recorded on June 11, 1973. Per the plat, there are 12-foot easements centered on all interior lot lines.

Warren Boyer is requesting a vacation of a 12-ft utility easement that is centered on the lot line between Lake Cascade Ranch Subdivision Lots 29 and 30. The applicant is requesting this vacation in order to build over the easement. The lots would be combined. As of May 5, 2026, both properties have the same ownership.

The two lots form a 0.90-acre site. The lots are addressed at 13128 and 13126 Tucker Road. The site is accessed from Tucker Road, a public road.

FINDINGS:

1. The application was submitted on April 3, 2026.
2. On November June 11, 2026, the Valley County Planning and Zoning Commission unanimously recommended approval of the requested vacation at a properly-notice public hearing. Facts and Conclusions and meeting minutes are attached.
3. Legal notice for the public hearing on July 27, 2026, was posted in the *Star News* on July 2, 2026, and July 9, 2026. The applicant, potentially affected agencies, and property owners within 300 feet of the property line were notified by fact sheet sent on June 23, 2026. The notice was posted online at www.co.valley.id.us on June 23, 2026. The site was posted on July 9, 2026.

4. All Agency comment received:

Megan Kelly, Idaho Power Company, stated that Idaho Power does not have utilities within the described easement and, therefore, does not have an opinion regarding the relinquishment. (July 10, 2026; July 14, 2026)

Brent Copes, Central District Health, has no objection. (May 17, 2026; June 24, 2026))

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, solid waste, hazardous waste, water quality, ground water contamination, and best management practices. (May 26, 2026)

Paul Ashton, Parametrix and Valley County Engineer, did not review the application. (June 3, 2026)

Jerry Holenbeck, Donnelly Fire Marshal, has no comments, concerns, or requirements at this time. (June 8, 2026 – Exhibit 1)

5. All Public comment received:

Ronald Thome, Nampa and 13122 Tucker RD, is opposed. (June 3, 2026)

5. Valley County Code:

10-6-2: VACATIONS OF PLATS, PUBLIC RIGHTS OF WAY OR EASEMENTS:

- A. Filing Of Application Required: An applicant wishing to vacate an existing subdivision, portion thereof, public right of way, or easement shall complete and file with the administrator an "application for total or partial vacation of an existing subdivision or other public right of way". This action shall be supplemental to, and in no way in conflict with, the applicant's obligation to comply with the provisions contained in Idaho Code sections 50-1317 through 50-1325.
 - B. Placement On Commission Agenda: Upon receipt of the completed application, the administrator shall place said application on the agenda of the commission to be considered at its next regular meeting, subject to the same time limits prescribed for preliminary plat applications.
 - C. Commission Review: The commission shall review the proposed vacation with regard to future development of the neighborhood. The commission shall also take into consideration the interests of adjacent property owners, of utilities, and of various public agencies where pertinent to the application.
 - D. Commission Recommendation: Within ten (10) days, the commission shall make its recommendation concerning the application to the board who shall hold a public hearing and give such public notice as required by law.
 - E. Board Action: The board may approve, deny or modify the application and shall record its action in the official minute book of the meetings of the board. Whenever public rights of way or lands are vacated, the board shall provide adjacent property owners with a quitclaim deed, as prepared by the applicant, for said vacated rights of way in such proportions as are prescribed by law.
-

STAFF COMMENTS / QUESTIONS:

1. This site is within the Donnelly Fire District and Water District 65.
2. A condition of approval would be that Idaho Power releases the easements.
3. The Planning and Zoning Commission needs to determine if the future development of the neighborhood would be inhibited by the vacation.
4. The Planning and Zoning Commission decision would be a recommendation to the Board of County Commissioners, who will then hold another public hearing.
5. The Board of County Commissioners will sign a Declaration of Vacation if approved.

STAFF COMMENTS / QUESTIONS:

If approved, the following will occur:

- A copy of the resolution shall be sent to Idaho Power by the Planning and Zoning staff.
- A condition of approval would be that Idaho Power releases the easement.
- The Board of County Commissioners will sign a Declaration of Vacation.

Recommended Motion if Approved:

- I move to approve Vacation Application VAC 25-001 Boyer Vacation of Utility Easement t and accept the Planning and Zoning Commission Facts and Conclusions as our own.
- I move to approve Resolution No. 2026- [REDACTED] Declaration of Vacation of Easement.

Recommended Motion if Denied:

- I move to deny Vacation Application VAC 25-001 Boyer Vacation of Utility Easement.
-

ATTACHMENTS:

- Resolution 2026- [REDACTED] Declaration of Vacation of Easement
- Planning and Zoning Facts and Conclusions
- Relevant Portion of Planning and Zoning Meeting Minutes – June 11, 2026
- Location Map
- Aerial Map
- Google Maps – Aerial View
- Assessor Plat – T.16N R.3E Section 16
- Lake Cascade Ranch Subdivision – Recorded as Instrument # 79116
- Photos Taken May 20, 2026, and July 9, 2026
- All Responses
- Application

END OF STAFF REPORT

RESOLUTION No. 2026-__
DECLARATION OF VACATION
OF PLATTED UTILITY EASEMENTS
IN LAKE CASCADE RANCH SUBDIVISION

VAC 26-001 Boyer Vacation of Utility Easements

Location: The site is 13128 Tucker RD and 13126 Tucker RD Lake Cascade Ranch Subdivision
Lots 29 and 30, in the W ½ NW ¼ Section 16, T.16N, R.3E, Boise Meridian, Valley
County, Idaho.

Whereas, the current action is to vacate the 12' wide utility easement centered on the lot line that separates Lots 29 and 30 in Lake Cascade Ranch Subdivision;

Whereas, Lake Cascade Ranch Subdivision was platted at Book 4, Page 35 on June 11, 1973;

Whereas, the applicants want to combine Lots 29 and 30 in order to build over the lot lines;

Whereas, it has been determined that vacation of the utility easement will not inhibit future development of the neighborhood;

Therefore, the Board of County Commissioners hereby vacate the 12' utility easement centered on the lot line that separates Lots 29 and 30 in Lake Cascade Ranch Subdivision, as shown on the attached plat; and, authorize the Chairman to sign this resolution.

Approved by the Board of County Commissioners of the County of Valley, State of Idaho, on this 27th day of July, 2026.

Board of Valley County Commissioners

Sherry Maupin, Chairman

State of Idaho)
)SS
County of Valley)

On this ____ day of _____, 2026, before me, _____, the undersigned, a Notary Public in and for said State, personally appeared Sherry Maupin known to be the person whose name subscribed to the within Instrument, and acknowledged to me that he, she, they executed the same.

Notary Public, Residing at Cascade, Idaho
My Commission Expires: _____

FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE THE VALLEY COUNTY PLANNING AND ZONING COMMISSION

SUBJECT: VAC 26-001 Boyer Vacation of Utility Easement

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on June 11, 2026. The Commission reached a quorum. Commission members in attendance were Brad Mabe, Carrie Potter, Heidi Schneider, and Ken Roberts.

Warren Boyer was present and requested a vacation of a 12-ft utility easement centered on the lot line between Lot 29 and Lot 30 of Lake Cascade Ranch Subdivision in order to build a shop over the lot lines. Each lot is 0.45 acres and addressed at 13128 Tucker RD and 13126 Tucker RD. The site is located in the W ½ of the NW ¼ Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho

FINDINGS OF FACT

Having given due consideration to the application and evidence presented at the Public Hearing, which is summarized in the Minutes of the Commission's meeting dated June 11, 2026, the Valley County Planning and Zoning Commission hereby made the following findings of fact:

1. That the proper legal requirements for advertisement of the hearing have been fulfilled as required by the Valley County Land Use and Development Ordinance, Valley County Code, and by the Laws of the State of Idaho.
 - The complete application was received from the applicant on April 3, 2026.
 - Legal notice was posted in the *Star News* on May 21, 2026, and May 28, 2026.
 - The applicant was notified by letter on May 11, 2026.
 - Potentially affected agencies were notified on May 12, 2026.
 - Property owners within 300 feet of the property line were notified by fact sheet sent by certified mail on May 12, 2026.
 - The notice and application were posted online at www.co.valley.id.us on May 12, 2026.
 - The site was posted on May 20, 2026.
 - A public hearing was held on June 11, 2026.
2. No one commented during public testimony on the proposal. Written comments were received from agencies and from the public. See the staff report and minutes of the meeting.
3. Round Valley Snow Haven No. 2 was recorded on June 14, 1976, Instrument # 88300, Book 6, Page 11. Per the plat, there are 10-foot easements centered on all lot lines.
4. The applicant owns two adjacent lots, intends to combine the lots for taxing purposes, and wishes to build over the existing utility easement centered on the lot line.

CONCLUSIONS

Based on the foregoing findings, the Valley County Planning and Zoning Commission concludes as follows:

1. The commission is tasked to consider the interests of adjacent property owners, of the neighborhood, of utilities, and of various public agencies for all vacation requests.
2. Future development of the subdivision or adjacent property will not be inhibited by the vacation.
3. Other existing easements will sufficiently provide access for utilities to nearby properties.
4. Approval is in harmony with the general purpose of Valley County ordinances and policies and will not be otherwise detrimental to the public health, safety, and welfare.
5. The Commission unanimously recommended approval of the vacation request.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, recommends to the Board of County Commissioners that the application of Warren Boyer for VAC 26-001 Boyer Vacation of Utility Easement, as described in the application, staff report, correspondence, and minutes of the meeting be approved.

NOTICE OF FINAL ACTION AND RIGHT TO REGULATORY TAKING ANALYSIS

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

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

Please take notice that if this is a decision of the Board of County Commissioners it is a final action of the governing body of Valley County, Idaho. Pursuant to Idaho Code §67-6521, an affected person i.e., a person who has an interest in real property which may be adversely affected by the issuance or denial of the application to which this decision is made, may within twenty-eight (28) days after the date of this Decision and Order, seek a judicial review as provided by Chapter 52, Title 67, Idaho Code, after seeking reconsideration within 14 days in accordance with Valley County Code 9-5H-13 and Idaho Code §67-6535 .

END FACTS AND CONCLUSIONS



Valley County Planning and Zoning Commission Chairman

7/9/26

Date

Valley County Planning and Zoning Commission

PO Box 1350 • 700 South Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

Ken Roberts, Chairman
Carrie Potter, Vice-Chair

Brad Mabe, Commissioner
Ben Oyarzo, Commissioner
Heidi Schneider, Commissioner

MINUTES

Valley County Planning and Zoning Commission
June 11, 2026
Valley County Court House - Cascade, Idaho
PUBLIC HEARING - 4:00 p.m.

A. OPEN: Meeting called to order at 4:00 p.m. by Vice Chairman Potter. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brad Mabe	Present via Teams
PZ Commissioner – Ben Oyarzo:	Excused
PZ Commissioner – Carrie Potter:	Present
PZ Commissioner – Ken Roberts:	Present via Teams
PZ Commissioner – Heidi Schneider:	Present
PZ Planner II – Lori Hunter:	Present

1. MINUTES: Commissioner Schneider moved to approve the minutes of May 14, 2026, and May 21, 2026. Commissioner Mabe seconded the motion. Motion passed unanimously.

Vice Chairman Potter chaired the meeting.

C. OLD BUSINESS:

1. C.U.P. 24-08 White Meadow Subdivision – Final Plat Extension Happy Mountain Group LLC is requesting a two-year extension of the conditional use permit and final plat approval that expires on June 25, 2026. The 2.86-acre site is parcel RP17N03E330720 located in the NWNE Section 33, T.17N, R.3E, Boise Meridian, Valley County Idaho. Action Item. Not a public hearing.

Vice Chairman Potter introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report.

Staff responded to questions from Commissioners.

Commissioner Roberts moved to approve the final plat extension of C.U.P. 24-08 White Meadow Subdivision for two years. Commissioner Mabe seconded. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

5:22 p.m.

2. **VAC 26-001 Boyer Vacation of Utility Easement:** Warren Boyer is requesting vacation of a 12-ft utility easement centered on the lot line between Lot 29 and Lot 30 of Lake Cascade Ranch Subdivision in order to build a shop over the lot lines. Each lot is 0.45 acres and addressed at 13128 Tucker RD and 13126 Tucker RD. The site is located in the W ½ of the NW ¼ Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Vice Chairman Potter introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Jerry Holenbeck, Donnelly Fire Marshal, had no comments, concerns, or requirements at this time. (June 8, 2026)

Director Herrick stated if approved, the property owner would complete a combination form with the Assessor's Office. There is an existing home; the owner wishes to add a shop that would be constructed over the area with the utility easement.

Vice Chairman Potter asked for the applicant's presentation.

Warren Boyer, Boise, owns the two adjacent lots. He did not know there was a utility easement on the lot line until recently. He concurs with the staff report.

Vice Chairman Potter opened the public hearing and asked for proponents. There were none.

Vice Chairman Potter asked for undecided. There were none.

Vice Chairman Potter asked for opponents. There were none.

Vice Chairman Potter closed the public hearing. The Commission deliberated. Commissioner Schneider saw no issues. Commissioner Mabe stated there would be no impairment to future development. Commissioner Robert is in favor as long as the lots are combined.

Commissioner Schneider moved to recommend approval of VAC 26-001 Boyer Vacation of Utility Easement to the Board of County Commissioners. Commissioner Roberts seconded the motion. Motion carried unanimously. This matter will be forwarded to the Board of County Commissioners for a future public hearing.

5:29 p.m.

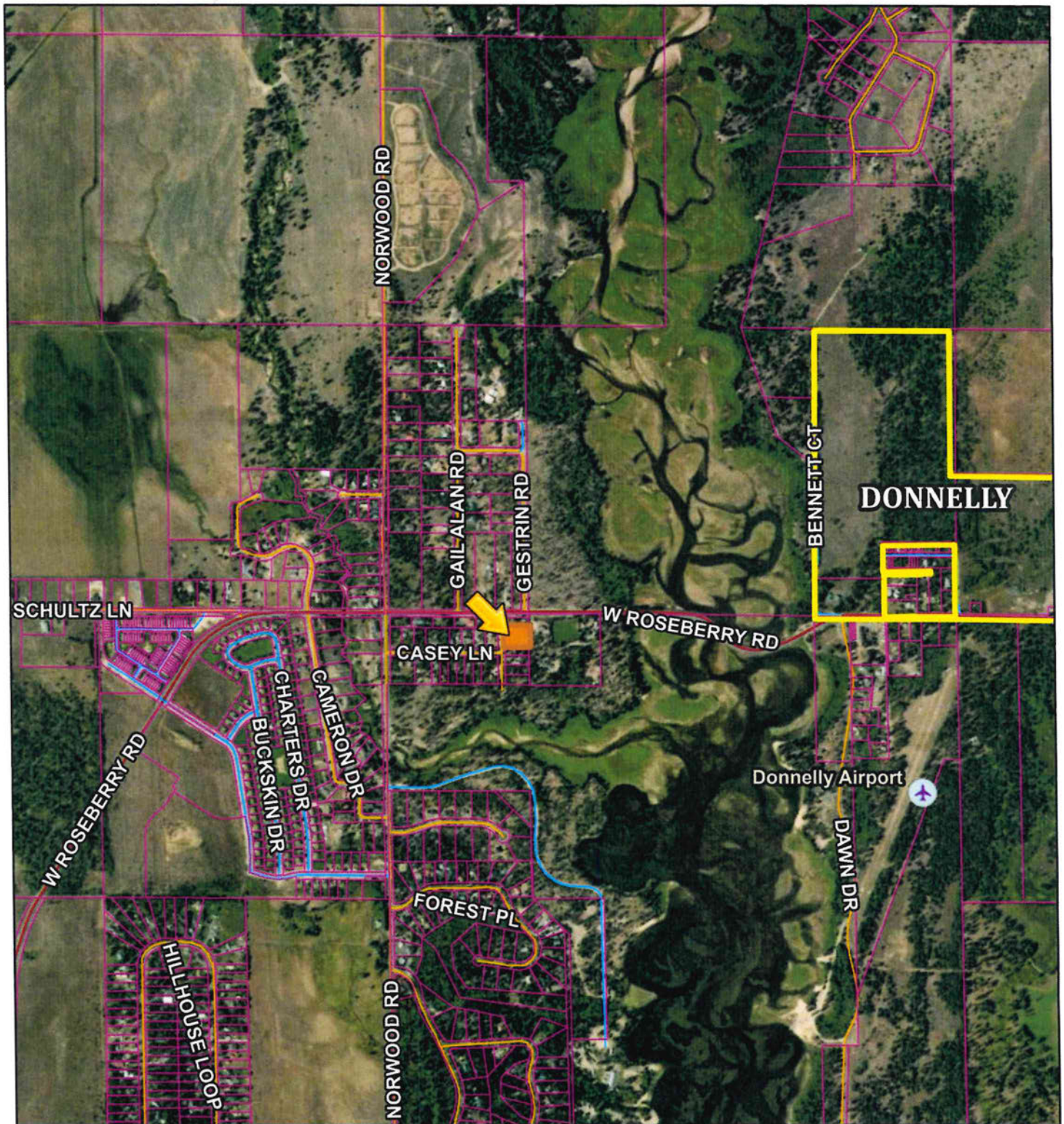
3. **C.U.P. 26-008 Troutner Multiple Residences:** Jeff and Kathy Troutner are requesting a conditional use permit for two residences on one parcel. The homes would share a well and an individual septic system is proposed. Access would be from a shared driveway onto Elk Haven Way, a private road. The 18.67-acre parcel, addressed at 84 Elk Haven Way, is Elk Haven Subdivision Lot 9, located in the NW ¼ Section 14, T.17N, R.3E, Boise Meridian, Valley County Idaho. Action Item.

Vice Chairman Potter introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and summarized the following exhibit:

- **Exhibit 1** – Jerry Holenbeck, Donnelly Fire Marshal, had no comments, concerns, or requirements at this time. (June 8, 2026)

Commission Roberts expressed concern of the lack of road maintenance agreement among the existing landowners for the Elk Haven Lane and Elk Haven Way. This issue was brought up during a previous application. Director Herrick stated the roads are platted as private roads. There are multiple properties accessing the private, platted roadways. This proposal would add

VAC 26-001 Location Map



4/30/2026, 10:30:11 AM



Airports



Municipal Boundaries



Parcel Boundaries

Roads



MAJOR



MINOR COLLECTOR



COLLECTOR



URBAN/RURAL



USFS



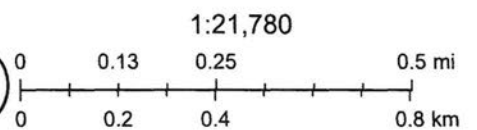
PRIVATE



OTHER

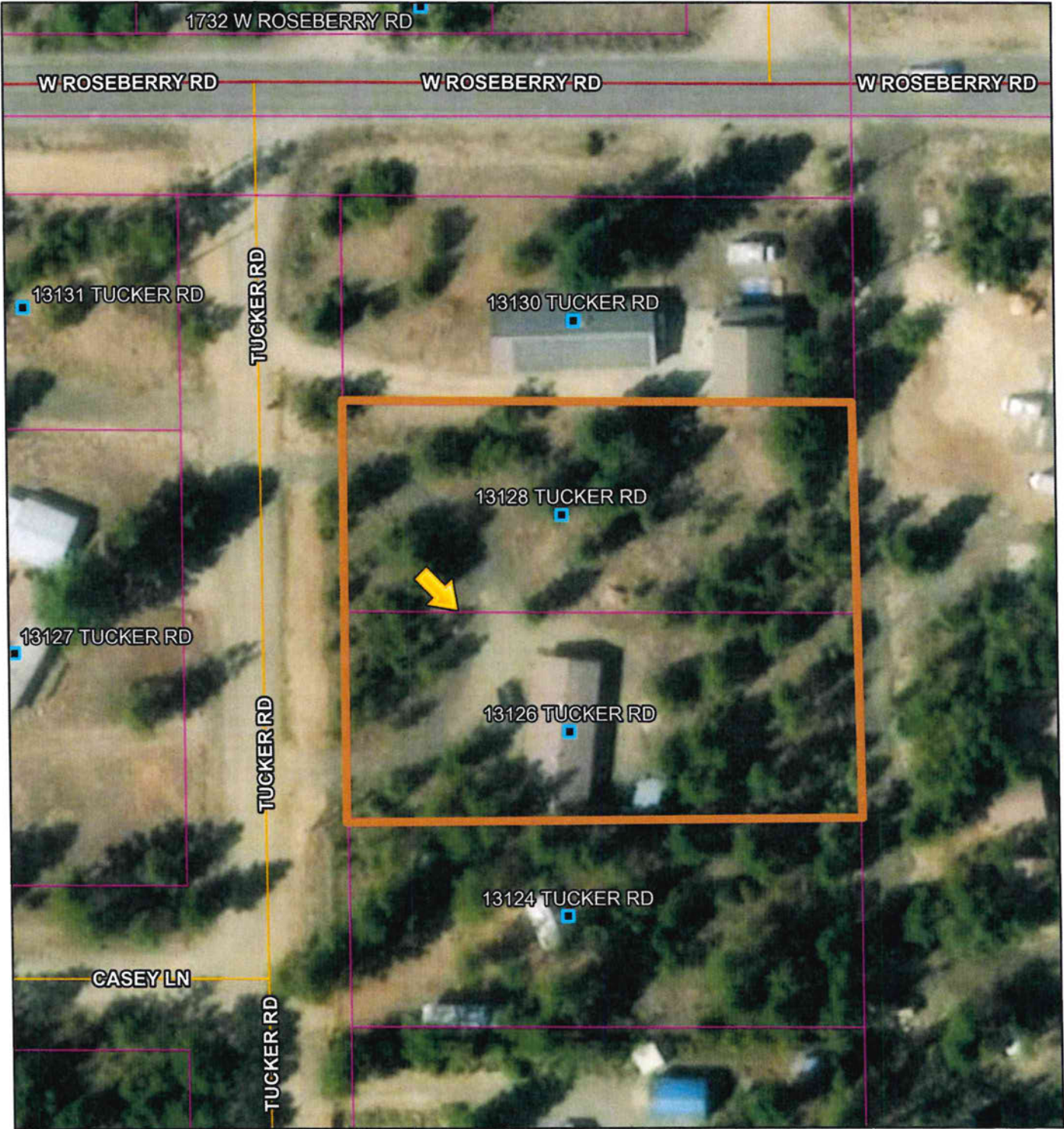


Other



Vantor

VAC 26-001 Aerial Map



4/30/2026, 10:24:19 AM

- Airstrips
- Address Points
- Municipal Boundaries
- Parcel Boundaries

- Roads
- MAJOR
 - MINOR COLLECTOR
 - COLLECTOR
 - URBAN/RURAL

- USFS
- PRIVATE
- OTHER
- Other



1:1,016

0 0.01 0.01 0.02 mi

0 0.01 0.01 0.03 km

Microsoft, Vantor

Google Maps – Aerial View



PLAT TITLE

TWP. 16N R03E SEC. 16

VALLEY COUNTY
Cartography Dept.
Assessor's Office
Cascade, ID 83611

Filename:	Valley County Base Map
Scale:	1" = 100 ft.
Date:	6/24/2025
Drawn by:	L. Frederick



RP 00135

82-4 13-35 inst. 10-1916 6-11-73
 82-4 13-35 inst. 10-1916 6-11-73
 82-4 13-35 inst. 10-1916 6-11-73

LAKE CASCADE RANCH SUBDIVISION

A PORTION OF SECTION 16, T16N, R3E, B.M., THE NW/4, NW/4, NW/4

VALLEY COUNTY, IDAHO

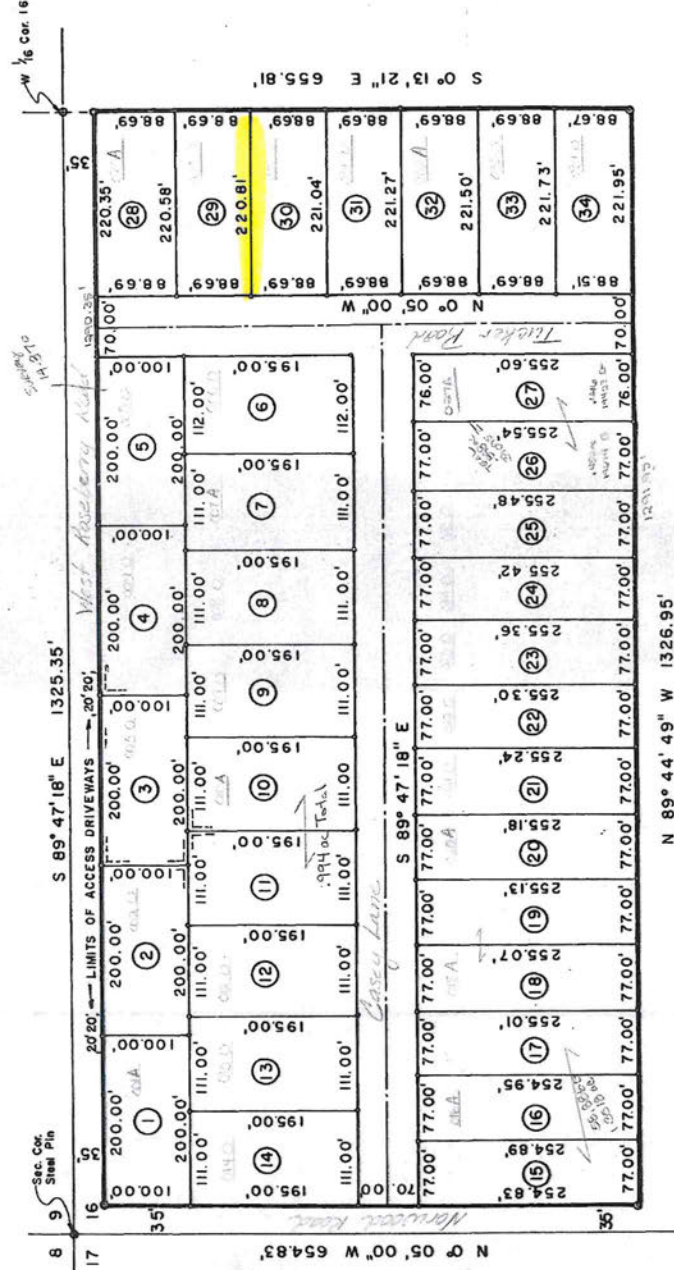
ENGINEER: SMITH & MONROE ENGINEERS INC.

Streets are dedicated for Public Use.
 Pls. advised by County Engineer
 Commissioner Minutes 10/6/73 and
 by letter 9-6-74

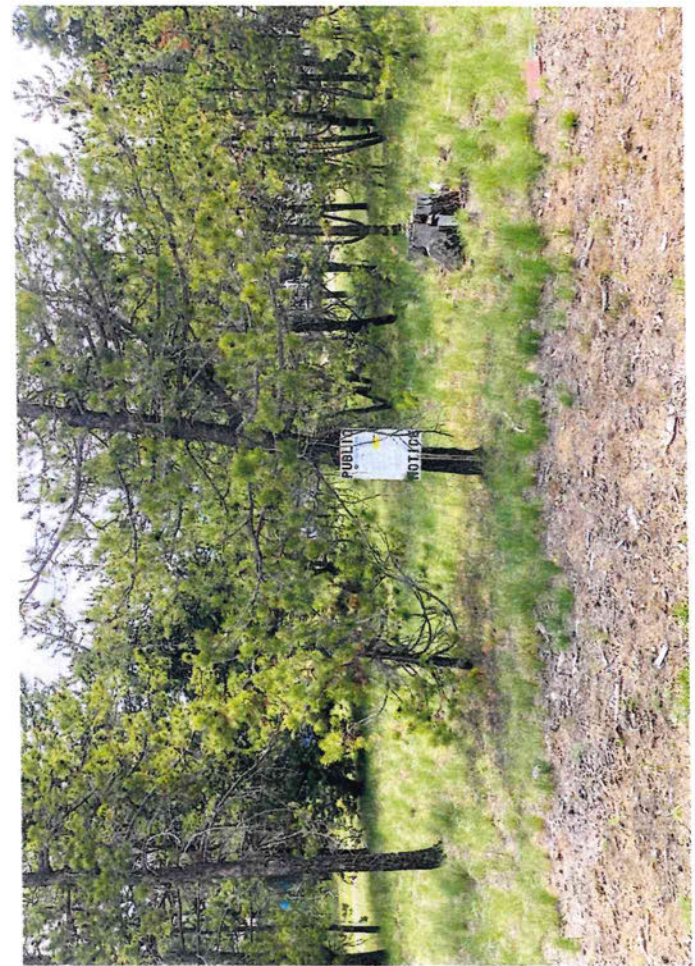


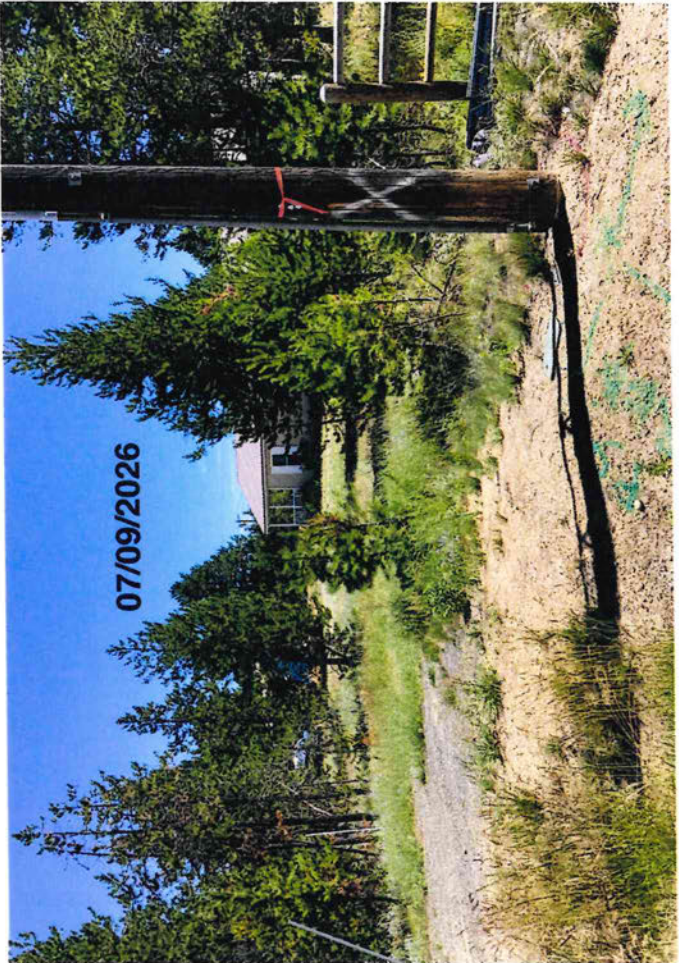
- LEGEND
- 6" x 30" Steel Pins at Angle Points on Boundary.
 - 1/2" x 24" Steel Pins at Lot Corners.
 - 1 Lot Number.

- EASEMENTS FOR UTILITIES
- 12' Wide inside all street and exterior lot lines
 - 6' Each side of all interior lot lines



N 89° 44' 49" W 1326.95'





From: Kelly, Megan <MKelly@idahopower.com>
Sent: Friday, July 10, 2026 2:21 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: FW: VAC 26-001 Boyer Vacation of Utility Easement - Public Hearing

Hello,

Idaho Power Company does not have Utilities within the described Public Utility Easement (PUE) to be relinquished and therefore does not have an opinion regarding the relinquishment.

Best,

Megan Kelly

Corporate Real Estate | Land Rights

☎ (208) 867-3754 | ☎ (208) 388-2972

www.idahopower.com | **Easements** | **Clearances**

~ Make A Difference Today!

July 14, 2026

Sent via email to: cherrick@valleycountyid.gov

Applicant: Valley County
O.B.O. Warren Boyer

Location Info: Lake Cascade Ranch Sub., Lots 29-30
Parcel(s): RP001350000290, RP001350000300

To Whom It May Concern:

This is in response to a Vacation request we received regarding the possible relinquishment of a public utility easement (PUE) located as noted above.

- The attached Exhibit(s) more specifically identify the requested area for relinquishment.

X Idaho Power Company does not have Utilities within the described Public Utility Easement (PUE) to be relinquished and therefore does not have an opinion regarding the relinquishment.

 Idaho Power Company has Utilities within the described Public Utility Easement (PUE) to be relinquished and **requires** rights to support continued use, maintenance and/or relocation of such Utilities.

Specifications:

Please see the included Exhibit(s) which specify the approved area for Relinquishment of the Public Utility Easement (PUE).

Sincerely,



EASEMENT SPECIALIST
Corporate Real Estate | Idaho Power Company
208-388-5263 | easements@idahopower.com

1221 W. Idaho St (83702)
P.O. Box 70
Boise, ID 83707

Idaho Power Application for Release, Vacation, and Relinquishment of Easements

Applicant may be requested to pay other costs if required to complete this request (e.g., surveying, appraisal, title search, etc.)

Mail to: Corporate Real Estate Department (or email to easements@idahopower.com)
Attn: Easement Specialist
P.O. Box 70
Boise, ID 83707-0070
Phone: (208)-388-5263

Applicant's Signature and Printed Name

Applicant Information

Applicant's Name Warren BoyerIdaho		Date 7-4-26	
Mailing Address 2118 S Heritage Place	City Boise	State Idaho	Zip 83709
Phone [REDACTED]	Cell [REDACTED]	E-mail [REDACTED]	

Current Property Owner Information

Owner's Name Warren Boyer			
Mailing Address 2118 S Heritage	City Boise	State Idaho	Zip 83709
Phone [REDACTED]	Cell [REDACTED]	E-mail [REDACTED]	

Type

☐ Idaho Power Easement	☐ Public Utility Easement	☐ Road Right of Way	☐ Internal Request
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Easement Information

Instrument #	Date Recorded 6-11-73	Execution Date
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Location Information

County Valley	Quarter	Township	Range	Section
Subdivision Cascade Lake Ranch	Block	Lot 29 and 30	Parcel Number / Assessor's Number	

In addition to information provided, please explain request. (If more space is needed, please use the backside of this form.)

(Why is this needed? Is there a pending sale? Are there any associated public hearings? What are your dates of construction?)
I'm requesting vacation of the 12 foot utility easement centered on the lot line between Cascade Ranch subdivision lots 29 and 30, so I can build over the easement. There are no existing utilities in the easement.

Required Enclosures (See explanations on cover letter)

☐ Complete Application	☐ Copy of easement, subdivision plat, or city town site
☐ Map of Location	☐ \$150 Application Fee ☐ Legal Description

For IPC Use Only

Release Number	Application Received	Check Number	Date Completed
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AFFIDAVIT OF LEGAL INTEREST

State of Idaho)

ss

County of Valley)

I, Warren Boyer, 2118 S Heritage Pl
(Name) (Address)
Boise, Idaho 83709
(City) (State/Zip)

Being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my permission to Warren Boyer, 13126 and 13128 Tucker Rd to submit the accompanying application pertaining to that Property.
(Name) (Address)

B. I agree to indemnify, defend and hold Idaho Power Company and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 4 day of July, 2021.

(Signature)

Subscribed and sworn to before me the day and year first above written.

Notary Public for Idaho

Residing at: _____

My commission expires: _____

(NOTARY SEAL)



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 _____

VAC 26-001 Boyer Vacation of Utility Easement

- ☐ 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. CDH has no objection to the vacation of the utility easement to combine the two lots

Reviewed By: Braed Coppe

Date: 5/17/26



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 _____

VAC 26-001 Boyer Vacation

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☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☒ 14. CAH has no objection to utility easement vacation

Reviewed By: B. W. Cope

Date: 6/24/26



May 18, 2026

Cynda Herrick, Planning & Zoning Director
Valley County Planning & Zoning
700 S. Main Street, Cascade, ID 83611
cherrick@valleycountyid.gov

Subject: Valley County PZ Commission - Public Hearings - June 11, 2026

Dear Cynda Herrick:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review every project 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://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083>.

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 (D2, D6, D8)

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
For questions, contact David Luft, Air Quality Manager, at (208) 373-0201.
- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.
- For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

AIR QUALITY (D2, D6, D8)

- 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 contractors 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 contractors 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 local public health district.
- 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 groundwater.
- 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) 373-0459.

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.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system. A drinking water system is a Public Water System (PWS) if it has at least 15 service connections or regularly serves an average of 25 or more people per day for at least 60 days per year (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.
- 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.
- 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 groundwater 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) 373-0459.

4. SURFACE WATER

- A Construction General Permit from DEQ may be required for projects that meet the eligibility criteria and have an allowable discharge of storm water or authorized non-storm water associated with construction activities. For questions, contact Emily Montague, IPDES Compliance Supervisor, at (208) 813-0872.
- 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 Emily Montague, IPDES Compliance Supervisor, at (208) 373-0433.
- 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) 373-0564.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUNDWATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards.
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.24.060 and 58.01.24.061). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.24.060.01 and 58.01.24.061.04. 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.
- **Groundwater 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) 373-0510.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, additional regulations may apply. If an UST is present, the site should be evaluated to determine whether the UST is regulated by DEQ. If an AST is identified, EPA may have additional requirements. Both 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 land uses: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, ponds and outdoor gun ranges. 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



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

June 8, 2026

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

RE: VAC 206-001 Boyer Vacation of Utility Easement

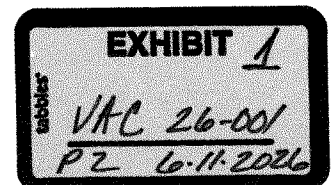
After review, the Donnelly Rural Fire Protection District has no comments, concerns or requirements at this time.

Please call me if you have any questions.

Thank you,

A handwritten signature in cursive script, appearing to read "Jerry Holenbeck".

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



Dear Cynda

I've lived on my property
for 39 yrs. I'm 87 yrs old
and I don't really don't know
what they want to do and build.
But if my vote counts
I'm not in favor of any of
it.

I don't have a smart
phone or a computer so I don't
really know what's going
on. but my vote would
be no.

Thank you

Ronald Thome

lot # 13122

T

Ron & Kathy Thome
227 Holland Drive
Nampa, Idaho 83651



Valley County Planning and Zoning Department

219 N. Main
PO Box 1350
Cascade, ID 83611
www.co.valley.id.us
cherrick@co.valley.id.us
208-382-7115



Application for Vacations
of Plats, Portions Thereof,
Public Rights-of Ways,
or Easements

See Section 10-6-2 Valley County Code

Subject to I.C. 55-22 Underground Facilities Damage Prevention

TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT	
FILE # <u>Vac 26-001</u>	☒ Check # <u>235</u> or ☐ Cash
ACCEPTED BY <u>[Signature]</u>	FEE \$ <u>500 -</u>
CROSS REFERENCE FILE(S): _____	DEPOSIT _____
PROPOSED USE: <u>Combining lots</u>	DATE <u>4/3/26</u>
☐ Vacation of Plat ☐ Vacation of Road and/or Right-of-Way ☒ Vacation of Utility Easement ☐ Other	

Name of Applicant(s): Warren Boyer
Applicant's Signature: [Signature] Date: 4-3-26
Mailing Address of Applicant(s): 2118 S. Heritage Pl Boise Id 83709
Phone #: [Redacted] email [Redacted]

Required Attachments

1. Narrative describing property and the reason(s) for the request
2. Map, sketch, or plat showing the property and names and addresses of owners of adjoining property.
3. Letters from, or signatures on a petition, of each owner of adjoining property stating:
 - their approval of the proposed vacation,
 - their willingness to share in the costs,
 - they are aware that vacated property becomes part of adjoining property subject to the rights and easements of utilities.
4. Application for Release of Idaho Power Easement, if applicable. Will submit to Idaho Power
5. An application processing fee of \$500.00.

Submit **ten copies** of all application materials with the fee to the Planning and Zoning Administrator a minimum of 45 days prior to the regularly scheduled Planning and Zoning meeting. Regularly scheduled meetings are held the second Thursday of each month. When an application is submitted, it will be reviewed in order to determine compliance with application requirements. A hearing date will be scheduled only after an application has been accepted as complete or if applicant requests the hearing in writing.

A – Warren Boyer, 1725 POMANDER RD, BOISE ID 83705

B – Ernest Howard, 1825 W SONOMA DR, MERIDIAN ID 83642

C – Darryl and Kimberly Glinski, 770 W HEATHER WOODS DR, NAMPA ID 83686

D – Shannon and John Seda, 70 RAVINE DR, NAMPA ID 83687

E – Billy Jack Sheffield, 13130 TUCKER RD, DONNELLY ID 83615

F – Deer Flat Free Methodist Church, Inc. 17703 BEET RD, CALDWELL ID 83607

Property Narrative:

Vacate the easement between 13126 Tucker (Lot 30 Cascade Ranch Subdivision, RP001350000300) and 131128 Tucker (Lot 29 Cascade Ranch Subdivision, RP001350000290).

The two residential parcels are being combined, and we have requested a building permit to build a shop on the easement. There are no existing utilities on the easement and shop will not be used for commercial activities.



4/3/2026, 9:31:00 AM

Parcel Boundaries URBAN/RURAL

Addresses

Roads

COLLECTOR

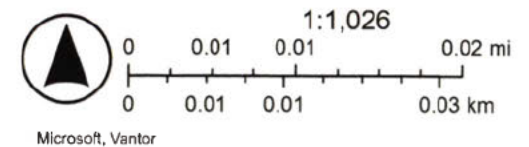
World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations



Microsoft, Vantor

BK-4 Pg. 35 inst. NO. 79116 6-11-73
CC-2's inst. NO. 82024

A PORTION OF SECTION 16, T16N, R3E, B.M., THE N1/2, NW1/4, NW1/4

ENGINEER: SMITH & MONROE ENGINEERS INC.

streets are dedicated for Public Use.
Pds. ordered by County 3-12-94
Commissioner Minutes Axi's Pg. 253 and
by letter 9-6-94



LEGEND

- $\frac{5}{8}$ " x 30" Steel Pins at Angle Points on Boundary.
 • $\frac{1}{2}$ " x 24" Steel Pins at Lot Corners.
 ① Lot Number.

EASEMENTS FOR UTILITIES

12' Wide inside all street and exterior lot lines

6' Each side of all interior lot lines

