

Teton County Idaho Commissioners' Meeting Agenda
Monday November 14, 2016 9:00 am
150 Courthouse Drive, Driggs, ID – 1st Floor Meeting Room

9:00 MEETING CALL TO ORDER – Bill Leake, Chair
Amendments to Agenda

PUBLIC WORKS – Darryl Johnson

1. Solid Waste
 - a. Landfill September 2016 Sampling Event
 - b. Franchise Agreement for Collection and Disposal of Materials in Teton County
2. Road and Bridge
 - a. W7000S Gravel Overlay
3. Engineering
 - a. Approval of Teton Creek Corridor Alignment Across Teton County Property
 - b. Approval of Teton County to Adopt Teton Creek Corridor Easement
 - c. Gravel Pit Reclamation
 - d. Approval to Award S1000E Darby Creek Culvert Replacement Project to MD Landscaping
 - e. W6000S Fox Creek Re-Alignment Mitigation
 - f. Packsaddle Road Vacation

9:30 OPEN MIC (*if no speakers, go to next agenda items*)

PLANNING – Kristin Owen

1. Nutrient Pathogen (NP) Waiver for Ross Meadow Subdivision
2. Nelson Subdivision NP Waiver Request
3. Code Enforcement Update
4. County Codes Update
5. Senior Planner Update

ADJOURNMENT

BUILDING – Wendy Danielson

1. Building Permit Reports
2. Code Compliance
3. Continuing Education

IT/EMERGENCY MANGEMENT – Greg Adams

1. Current Projects Update
2. Approval of IT and Emergency Management Office Location
3. Domain for Parks and Recreation Website
4. Future Projects
5. Future Appointments

CLERK – Chief Deputy Jenifer VanMeeteren-Shaum

1. Canvass of Nov. 8 Election Results

1:00 AMBULANCE SERVICE DISTRICT

1. Approval of Available Minutes
2. ID Department of Health and Welfare Grant – Air Transport Spine Boards
3. Medical Director Contract
4. Fire District/ASD Contract

3:00 SHERIFF – Sargent Don Shaw

1. Approval to Pay New Deputy a Starting Salary of 91% of Market Value

ADMINISTRATIVE BUSINESS (*will be dealt with as time permits*)

1. Approve Available Minutes
2. Other Business
 - a. Certificates of Residency
 - b. Priorities Review
 - c. Beer & Wine licenses, if any
3. Committee Reports
4. Claims
5. Executive Session as needed per IC74-206(1)

Upcoming Meetings

November 28 9:00 am Regular BoCC Meeting	December 27 9:00 am Public Hearing Continuation Packsaddle Road	January 9 9:00 am Regular BoCC Meeting
December 12 9:00 am Regular BoCC Meeting	December 27 9:00 am Regular BoCC Meeting	January 23 9:00 am Regular BoCC Meeting



WK: 208-354-0245
djohnson@co.teton.id.us

Public Works Department
MEMORANDUM

150 Courthouse Drive
Driggs, ID 83422

November 4, 2016

TO: Board of County Commissioners
FROM: Teton County Public Works Director – Darryl Johnson, PE, PLS
SUBJECT: Public Works Update

The following items are for your review and discussion at the November 14, 2016 BoCC Meeting.

SOLID WASTE

Landfill September 2016 Sampling Event – The September sampling report from Rocky Mountain Environmental is attached. There were no statistical exceedances or organic detections in any of the wells.

Exclusive Franchise Agreement for Collection and Disposal of Materials in Teton County – Section 16 of the waste and recycle hauling exclusive contract between Teton County and RAD allows for the Franchisee to submit a rate adjustment request to the County not more than once annually. RAD would like to discuss the nature of events causing the requested increase per the Franchise Agreement. Section 16 of the Agreement is attached.

ROAD & BRIDGE

R&B Crews – Crews are continuing with the W7000S gravel overlay. On rainy days, Crews have been grading roads and preparing for winter.

ENGINEERING

Teton Creek Corridor Project – Attached are exhibits and legal descriptions for the Teton Creek Corridor. TVTAP, FTR, and TRLT would like to speak about this project in more detail. There are 2 considerations that will be asked of the County; 1. Approve the pathway alignment across County owned property and 2. Approve to adopt the easements across TRLT and Targhee Hill Estates properties.

ACTION ITEM 1 – Motion to approve Teton Creek Corridor alignment across Teton County property as presented.

ACTION ITEM 2 – Motion to approve for Teton County to adopt of the Teton Creek Corridor Easement as presented.

Gravel Pit SH33 - See attached memo regarding the Teton Gravel Pit Reclamation.

Darby Creek Box Culvert Bid Opening – Bids were opened on 10/28 for the S1000E Darby Creek Culvert Replacement project. The bid comparison is attached. MD is the apparent low bid at \$58,613.00. Although there is a significant cost difference between MD and other bids, MD has re-visited their bid and confident they can install the box culverts for their bid price.

ACTION ITEM – Motion to approve awarding the S1000E Darby Creek Culvert Replacement Project to MD Landscaping for \$58,613

W6000S Fox Creek Re-alignment Mitigation – Field survey was conducted on 10/25.

Packsaddle Road Vacation – This public hearing was continued to 12/27. Staff will reach out to landowners to see if they would be willing to grant the County a public easement in exchanged for fair market value.



ANALYTICAL REPORT

Report Date: October 13, 2016

John B. Rice
Rocky Mountain Environmental
482 Constitution Way
Idaho Falls, ID 83402

Phone: 208-524-2353

E-mail: john.rmea@gmail.com

Workorder: **34-1627444**

Project ID: Teton

Purchase Order: 12-0094

Project Manager Jessica Helland

Client Sample ID	Lab ID	Collect Date	Receive Date	Sampling Site
TMW-1	1627444001	09/28/16	09/30/16	Teton
TMW-5	1627444002	09/28/16	09/30/16	Teton
TMW-6	1627444003	09/28/16	09/30/16	Teton
TMW-7	1627444004	09/27/16	09/30/16	Teton
TMW-8	1627444005	09/27/16	09/30/16	Teton
TMW-20	1627444006	09/27/16	09/30/16	Teton

ADDRESS 960 West LeVoy Drive, Salt Lake City, Utah, 84123 USA | PHONE +1 801 266 7700 | FAX +1 801 268 9992

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Environmental

www.alsglobal.com

RIGHT SOLUTIONS RIGHT PARTNER



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-1	Sampling Site: Teton	Collected: 09/28/2016
Lab ID: 1627444001	Media: 500 mL Nalgene	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 6020

Preparation: EPA 3010, SW 6020 Water Prep	<u>Weight/Volume</u>	Analysis: SW 6020A, Water	Instrument ID: ICPM02
Batch: EMS/4607 (HBN: 178295)	Initial: 50 mL	Batch: EMS/4610 (HBN: 178469)	Percent Solid: NA
Prepared: 10/12/2016	Final: 50 mL	Analyzed: 10/13/2016 12:25	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Arsenic	ND	0.30	1.0	1	U
Beryllium	ND	0.30	1.0	1	U
Cadmium	ND	0.10	1.0	1	U
Cobalt	ND	0.30	1.0	1	U
Chromium	ND	0.60	2.0	1	U
Copper	ND	0.60	2.0	1	U
Nickel	0.68	0.30	1.0	1	J
Lead	ND	0.30	1.0	1	U
Selenium	ND	1.5	5.0	1	U
Silver	ND	0.30	1.0	1	U
Thallium	ND	0.30	1.0	1	U
Vanadium	ND	0.60	2.0	1	U
Zinc	0.99	0.60	2.0	1	J
Antimony	ND	0.60	2.0	1	U
Barium	26	1.5	5.0	1	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 17:19	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Acetone	ND	1.5	5.0	1	U
Acrylonitrile	ND	1.5	5.0	1	U
Benzene	ND	0.30	1.0	1	U
Bromochloromethane	ND	0.30	1.0	1	U
Bromodichloromethane	ND	0.30	1.0	1	U
Bromoform	ND	0.30	1.0	1	U
Carbon disulfide	ND	0.30	1.0	1	U
Carbon tetrachloride	ND	0.30	1.0	1	U
Chlorobenzene	ND	0.30	1.0	1	U
Chloroethane	ND	0.30	1.0	1	U
Chloroform	ND	0.30	1.0	1	U
Dibromochloromethane	ND	0.30	1.0	1	U
1,2-Dibromo-3-Chloropropane	ND	0.30	1.0	1	U
1,2-Dibromoethane	ND	0.30	1.0	1	U
1,2-Dichlorobenzene	ND	0.30	1.0	1	U
1,4-Dichlorobenzene	ND	0.30	1.0	1	U

Results Continued on Next Page



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-1	Sampling Site: Teton	Collected: 09/28/2016
Lab ID: 1627444001	Media: 40 mL Amber Glass VOA	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water Batch: EVO/6301 (HBN: 177761) Analyzed: 10/03/2016 17:19	Instrument ID: 5975-J Percent Solid: NA Report Basis: Wet
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Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
trans-1,4-Dichloro-2-butene	ND	1.5	5.0	1	U
1,1-Dichloroethane	ND	0.30	1.0	1	U
1,2-Dichloroethane	ND	0.30	1.0	1	U
1,1-Dichloroethene	ND	0.30	1.0	1	U
cis-1,2-Dichloroethene	ND	0.30	1.0	1	U
trans-1,2-Dichloroethene	ND	0.30	1.0	1	U
1,2-Dichloropropane	ND	0.30	1.0	1	U
cis-1,3-Dichloropropene	ND	0.30	1.0	1	U
trans-1,3-Dichloropropene	ND	0.30	1.0	1	U
Ethylbenzene	ND	0.30	1.0	1	U
2-Hexanone	ND	1.5	5.0	1	U
Bromomethane	ND	0.30	1.0	1	U
Chloromethane	ND	0.30	1.0	1	U
Dibromomethane	ND	0.30	1.0	1	U
Methylene chloride	ND	0.30	1.0	1	U
2-Butanone	ND	1.6	5.0	1	U
Iodomethane	ND	0.42	1.0	1	U
4-Methyl-2-pentanone	ND	1.5	5.0	1	U
Styrene	ND	0.30	1.0	1	U
1,1,1,2-Tetrachloroethane	ND	0.30	1.0	1	U
1,1,2,2-Tetrachloroethane	ND	0.30	1.0	1	U
Tetrachloroethene	ND	0.30	1.0	1	U
Toluene	ND	0.30	1.0	1	U
1,1,1-Trichloroethane	ND	0.30	1.0	1	U
1,1,2-Trichloroethane	ND	0.30	1.0	1	U
Trichlorofluoromethane	ND	0.30	1.0	1	U
1,2,3-Trichloropropane	ND	0.30	1.0	1	U
Vinyl acetate	ND	1.5	5.0	1	U
Vinyl chloride	ND	0.30	1.0	1	U
Xylene	ND	0.30	3.0	1	U
Trichloroethene	ND	0.30	1.0	1	U
m,p-Xylene	ND	0.30	2.0	1	U
o-Xylene	ND	0.30	1.0	1	U



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-5	Sampling Site: Teton	Collected: 09/28/2016
Lab ID: 1627444002	Media: 500 mL Nalgene	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 6020

Preparation: EPA 3010, SW 6020 Water Prep	<u>Weight/Volume</u>	Analysis: SW 6020A, Water	Instrument ID: ICPM02
Batch: EMS/4607 (HBN: 178295)	Initial: 50 mL	Batch: EMS/4610 (HBN: 178469)	Percent Solid: NA
Prepared: 10/12/2016	Final: 50 mL	Analyzed: 10/13/2016 12:44	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Arsenic	ND	0.30	1.0	1	U
Beryllium	ND	0.30	1.0	1	U
Cadmium	ND	0.10	1.0	1	U
Cobalt	ND	0.30	1.0	1	U
Chromium	ND	0.60	2.0	1	U
Copper	ND	0.60	2.0	1	U
Nickel	1.1	0.30	1.0	1	
Lead	ND	0.30	1.0	1	U
Selenium	ND	1.5	5.0	1	U
Silver	ND	0.30	1.0	1	U
Thallium	ND	0.30	1.0	1	U
Vanadium	ND	0.60	2.0	1	U
Zinc	ND	0.60	2.0	1	U
Antimony	ND	0.60	2.0	1	U
Barium	36	1.5	5.0	1	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 17:44	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Acetone	ND	1.5	5.0	1	U
Acrylonitrile	ND	1.5	5.0	1	U
Benzene	ND	0.30	1.0	1	U
Bromochloromethane	ND	0.30	1.0	1	U
Bromodichloromethane	ND	0.30	1.0	1	U
Bromoform	ND	0.30	1.0	1	U
Carbon disulfide	ND	0.30	1.0	1	U
Carbon tetrachloride	ND	0.30	1.0	1	U
Chlorobenzene	ND	0.30	1.0	1	U
Chloroethane	ND	0.30	1.0	1	U
Chloroform	ND	0.30	1.0	1	U
Dibromochloromethane	ND	0.30	1.0	1	U
1,2-Dibromo-3-Chloropropane	ND	0.30	1.0	1	U
1,2-Dibromoethane	ND	0.30	1.0	1	U
1,2-Dichlorobenzene	ND	0.30	1.0	1	U
1,4-Dichlorobenzene	ND	0.30	1.0	1	U

Results Continued on Next Page



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-5	Sampling Site: Teton	Collected: 09/28/2016
Lab ID: 1627444002	Media: 40 mL Amber Glass VOA	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 17:44	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
trans-1,4-Dichloro-2-butene	ND	1.5	5.0	1	U
1,1-Dichloroethane	ND	0.30	1.0	1	U
1,2-Dichloroethane	ND	0.30	1.0	1	U
1,1-Dichloroethene	ND	0.30	1.0	1	U
cis-1,2-Dichloroethene	ND	0.30	1.0	1	U
trans-1,2-Dichloroethene	ND	0.30	1.0	1	U
1,2-Dichloropropane	ND	0.30	1.0	1	U
cis-1,3-Dichloropropene	ND	0.30	1.0	1	U
trans-1,3-Dichloropropene	ND	0.30	1.0	1	U
Ethylbenzene	ND	0.30	1.0	1	U
2-Hexanone	ND	1.5	5.0	1	U
Bromomethane	ND	0.30	1.0	1	U
Chloromethane	ND	0.30	1.0	1	U
Dibromomethane	ND	0.30	1.0	1	U
Methylene chloride	ND	0.30	1.0	1	U
2-Butanone	ND	1.6	5.0	1	U
Iodomethane	ND	0.42	1.0	1	U
4-Methyl-2-pentanone	ND	1.5	5.0	1	U
Styrene	ND	0.30	1.0	1	U
1,1,1,2-Tetrachloroethane	ND	0.30	1.0	1	U
1,1,2,2-Tetrachloroethane	ND	0.30	1.0	1	U
Tetrachloroethene	ND	0.30	1.0	1	U
Toluene	ND	0.30	1.0	1	U
1,1,1-Trichloroethane	ND	0.30	1.0	1	U
1,1,2-Trichloroethane	ND	0.30	1.0	1	U
Trichlorofluoromethane	ND	0.30	1.0	1	U
1,2,3-Trichloropropane	ND	0.30	1.0	1	U
Vinyl acetate	ND	1.5	5.0	1	U
Vinyl chloride	ND	0.30	1.0	1	U
Xylene	ND	0.30	3.0	1	U
Trichloroethene	ND	0.30	1.0	1	U
m,p-Xylene	ND	0.30	2.0	1	U
o-Xylene	ND	0.30	1.0	1	U



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-6	Sampling Site: Teton	Collected: 09/28/2016
Lab ID: 1627444003	Media: 500 mL Nalgene	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 6020

Preparation: EPA 3010, SW 6020 Water Prep	<u>Weight/Volume</u>	Analysis: SW 6020A, Water	Instrument ID: ICPM02
Batch: EMS/4607 (HBN: 178295)	Initial: 50 mL	Batch: EMS/4610 (HBN: 178469)	Percent Solid: NA
Prepared: 10/12/2016	Final: 50 mL	Analyzed: 10/13/2016 12:48	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Arsenic	ND	0.30	1.0	1	U
Beryllium	ND	0.30	1.0	1	U
Cadmium	ND	0.10	1.0	1	U
Cobalt	ND	0.30	1.0	1	U
Chromium	ND	0.60	2.0	1	U
Copper	ND	0.60	2.0	1	U
Nickel	0.79	0.30	1.0	1	J
Lead	ND	0.30	1.0	1	U
Selenium	ND	1.5	5.0	1	U
Silver	ND	0.30	1.0	1	U
Thallium	ND	0.30	1.0	1	U
Vanadium	ND	0.60	2.0	1	U
Zinc	1.3	0.60	2.0	1	J
Antimony	ND	0.60	2.0	1	U
Barium	38	1.5	5.0	1	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 18:08	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Acetone	ND	1.5	5.0	1	U
Acrylonitrile	ND	1.5	5.0	1	U
Benzene	ND	0.30	1.0	1	U
Bromochloromethane	ND	0.30	1.0	1	U
Bromodichloromethane	ND	0.30	1.0	1	U
Bromoform	ND	0.30	1.0	1	U
Carbon disulfide	ND	0.30	1.0	1	U
Carbon tetrachloride	ND	0.30	1.0	1	U
Chlorobenzene	ND	0.30	1.0	1	U
Chloroethane	ND	0.30	1.0	1	U
Chloroform	ND	0.30	1.0	1	U
Dibromochloromethane	ND	0.30	1.0	1	U
1,2-Dibromo-3-Chloropropane	ND	0.30	1.0	1	U
1,2-Dibromoethane	ND	0.30	1.0	1	U
1,2-Dichlorobenzene	ND	0.30	1.0	1	U
1,4-Dichlorobenzene	ND	0.30	1.0	1	U

Results Continued on Next Page



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-6	Sampling Site: Teton	Collected: 09/28/2016
Lab ID: 1627444003	Media: 40 mL Amber Glass VOA	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 18:08	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
trans-1,4-Dichloro-2-butene	ND	1.5	5.0	1	U
1,1-Dichloroethane	ND	0.30	1.0	1	U
1,2-Dichloroethane	ND	0.30	1.0	1	U
1,1-Dichloroethene	ND	0.30	1.0	1	U
cis-1,2-Dichloroethene	ND	0.30	1.0	1	U
trans-1,2-Dichloroethene	ND	0.30	1.0	1	U
1,2-Dichloropropane	ND	0.30	1.0	1	U
cis-1,3-Dichloropropene	ND	0.30	1.0	1	U
trans-1,3-Dichloropropene	ND	0.30	1.0	1	U
Ethylbenzene	ND	0.30	1.0	1	U
2-Hexanone	ND	1.5	5.0	1	U
Bromomethane	ND	0.30	1.0	1	U
Chloromethane	ND	0.30	1.0	1	U
Dibromomethane	ND	0.30	1.0	1	U
Methylene chloride	ND	0.30	1.0	1	U
2-Butanone	ND	1.6	5.0	1	U
Iodomethane	ND	0.42	1.0	1	U
4-Methyl-2-pentanone	ND	1.5	5.0	1	U
Styrene	ND	0.30	1.0	1	U
1,1,1,2-Tetrachloroethane	ND	0.30	1.0	1	U
1,1,2,2-Tetrachloroethane	ND	0.30	1.0	1	U
Tetrachloroethene	ND	0.30	1.0	1	U
Toluene	ND	0.30	1.0	1	U
1,1,1-Trichloroethane	ND	0.30	1.0	1	U
1,1,2-Trichloroethane	ND	0.30	1.0	1	U
Trichlorofluoromethane	ND	0.30	1.0	1	U
1,2,3-Trichloropropane	ND	0.30	1.0	1	U
Vinyl acetate	ND	1.5	5.0	1	U
Vinyl chloride	ND	0.30	1.0	1	U
Xylene	ND	0.30	3.0	1	U
Trichloroethene	ND	0.30	1.0	1	U
m,p-Xylene	ND	0.30	2.0	1	U
o-Xylene	ND	0.30	1.0	1	U



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-7	Sampling Site: Teton	Collected: 09/27/2016
Lab ID: 1627444004	Media: 500 mL Nalgene	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 6020

Preparation: EPA 3010, SW 6020 Water Prep	<u>Weight/Volume</u>	Analysis: SW 6020A, Water	Instrument ID: ICPM02
Batch: EMS/4607 (HBN: 178295)	Initial: 50 mL	Batch: EMS/4610 (HBN: 178469)	Percent Solid: NA
Prepared: 10/12/2016	Final: 50 mL	Analyzed: 10/13/2016 13:03	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Arsenic	0.3	0.30	1.0	1	J
Beryllium	ND	0.30	1.0	1	U
Cadmium	ND	0.10	1.0	1	U
Cobalt	ND	0.30	1.0	1	U
Chromium	ND	0.60	2.0	1	U
Copper	ND	0.60	2.0	1	U
Nickel	0.94	0.30	1.0	1	J
Lead	ND	0.30	1.0	1	U
Selenium	ND	1.5	5.0	1	U
Silver	ND	0.30	1.0	1	U
Thallium	ND	0.30	1.0	1	U
Vanadium	ND	0.60	2.0	1	U
Zinc	0.92	0.60	2.0	1	J
Antimony	ND	0.60	2.0	1	U
Barium	31	1.5	5.0	1	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 18:34	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Acetone	ND	1.5	5.0	1	U
Acrylonitrile	ND	1.5	5.0	1	U
Benzene	ND	0.30	1.0	1	U
Bromochloromethane	ND	0.30	1.0	1	U
Bromodichloromethane	ND	0.30	1.0	1	U
Bromoform	ND	0.30	1.0	1	U
Carbon disulfide	ND	0.30	1.0	1	U
Carbon tetrachloride	ND	0.30	1.0	1	U
Chlorobenzene	ND	0.30	1.0	1	U
Chloroethane	ND	0.30	1.0	1	U
Chloroform	ND	0.30	1.0	1	U
Dibromochloromethane	ND	0.30	1.0	1	U
1,2-Dibromo-3-Chloropropane	ND	0.30	1.0	1	U
1,2-Dibromoethane	ND	0.30	1.0	1	U
1,2-Dichlorobenzene	ND	0.30	1.0	1	U
1,4-Dichlorobenzene	ND	0.30	1.0	1	U

Results Continued on Next Page



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-7	Sampling Site: Teton	Collected: 09/27/2016
Lab ID: 1627444004	Media: 40 mL Amber Glass VOA	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 18:34	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
trans-1,4-Dichloro-2-butene	ND	1.5	5.0	1	U
1,1-Dichloroethane	ND	0.30	1.0	1	U
1,2-Dichloroethane	ND	0.30	1.0	1	U
1,1-Dichloroethene	ND	0.30	1.0	1	U
cis-1,2-Dichloroethene	ND	0.30	1.0	1	U
trans-1,2-Dichloroethene	ND	0.30	1.0	1	U
1,2-Dichloropropane	ND	0.30	1.0	1	U
cis-1,3-Dichloropropene	ND	0.30	1.0	1	U
trans-1,3-Dichloropropene	ND	0.30	1.0	1	U
Ethylbenzene	ND	0.30	1.0	1	U
2-Hexanone	ND	1.5	5.0	1	U
Bromomethane	ND	0.30	1.0	1	U
Chloromethane	ND	0.30	1.0	1	U
Dibromomethane	ND	0.30	1.0	1	U
Methylene chloride	ND	0.30	1.0	1	U
2-Butanone	ND	1.6	5.0	1	U
Iodomethane	ND	0.42	1.0	1	U
4-Methyl-2-pentanone	ND	1.5	5.0	1	U
Styrene	ND	0.30	1.0	1	U
1,1,1,2-Tetrachloroethane	ND	0.30	1.0	1	U
1,1,2,2-Tetrachloroethane	ND	0.30	1.0	1	U
Tetrachloroethene	ND	0.30	1.0	1	U
Toluene	ND	0.30	1.0	1	U
1,1,1-Trichloroethane	ND	0.30	1.0	1	U
1,1,2-Trichloroethane	ND	0.30	1.0	1	U
Trichlorofluoromethane	ND	0.30	1.0	1	U
1,2,3-Trichloropropane	ND	0.30	1.0	1	U
Vinyl acetate	ND	1.5	5.0	1	U
Vinyl chloride	ND	0.30	1.0	1	U
Xylene	ND	0.30	3.0	1	U
Trichloroethene	ND	0.30	1.0	1	U
m,p-Xylene	ND	0.30	2.0	1	U
o-Xylene	ND	0.30	1.0	1	U



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-8	Sampling Site: Teton	Collected: 09/27/2016
Lab ID: 1627444005	Media: 500 mL Nalgene	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 6020

Preparation: EPA 3010, SW 6020 Water Prep	<u>Weight/Volume</u>	Analysis: SW 6020A, Water	Instrument ID: ICPM02
Batch: EMS/4607 (HBN: 178295)	Initial: 50 mL	Batch: EMS/4610 (HBN: 178469)	Percent Solid: NA
Prepared: 10/12/2016	Final: 50 mL	Analyzed: 10/13/2016 13:06	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Arsenic	0.7	0.30	1.0	1	J
Beryllium	ND	0.30	1.0	1	U
Cadmium	ND	0.10	1.0	1	U
Cobalt	0.49	0.30	1.0	1	J
Chromium	1.2	0.60	2.0	1	J
Copper	1.2	0.60	2.0	1	J
Nickel	1.8	0.30	1.0	1	
Lead	0.56	0.30	1.0	1	J
Selenium	ND	1.5	5.0	1	U
Silver	ND	0.30	1.0	1	U
Thallium	ND	0.30	1.0	1	U
Vanadium	1.4	0.60	2.0	1	J
Zinc	2.7	0.60	2.0	1	
Antimony	ND	0.60	2.0	1	U
Barium	40	1.5	5.0	1	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 18:58	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Acetone	ND	1.5	5.0	1	U
Acrylonitrile	ND	1.5	5.0	1	U
Benzene	ND	0.30	1.0	1	U
Bromochloromethane	ND	0.30	1.0	1	U
Bromodichloromethane	ND	0.30	1.0	1	U
Bromoform	ND	0.30	1.0	1	U
Carbon disulfide	ND	0.30	1.0	1	U
Carbon tetrachloride	ND	0.30	1.0	1	U
Chlorobenzene	ND	0.30	1.0	1	U
Chloroethane	ND	0.30	1.0	1	U
Chloroform	ND	0.30	1.0	1	U
Dibromochloromethane	ND	0.30	1.0	1	U
1,2-Dibromo-3-Chloropropane	ND	0.30	1.0	1	U
1,2-Dibromoethane	ND	0.30	1.0	1	U
1,2-Dichlorobenzene	ND	0.30	1.0	1	U
1,4-Dichlorobenzene	ND	0.30	1.0	1	U

Results Continued on Next Page



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-8	Sampling Site: Teton	Collected: 09/27/2016
Lab ID: 1627444005	Media: 40 mL Amber Glass VOA	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 18:58	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
trans-1,4-Dichloro-2-butene	ND	1.5	5.0	1	U
1,1-Dichloroethane	ND	0.30	1.0	1	U
1,2-Dichloroethane	ND	0.30	1.0	1	U
1,1-Dichloroethene	ND	0.30	1.0	1	U
cis-1,2-Dichloroethene	ND	0.30	1.0	1	U
trans-1,2-Dichloroethene	ND	0.30	1.0	1	U
1,2-Dichloropropane	ND	0.30	1.0	1	U
cis-1,3-Dichloropropene	ND	0.30	1.0	1	U
trans-1,3-Dichloropropene	ND	0.30	1.0	1	U
Ethylbenzene	ND	0.30	1.0	1	U
2-Hexanone	ND	1.5	5.0	1	U
Bromomethane	ND	0.30	1.0	1	U
Chloromethane	ND	0.30	1.0	1	U
Dibromomethane	ND	0.30	1.0	1	U
Methylene chloride	ND	0.30	1.0	1	U
2-Butanone	ND	1.6	5.0	1	U
Iodomethane	ND	0.42	1.0	1	U
4-Methyl-2-pentanone	ND	1.5	5.0	1	U
Styrene	ND	0.30	1.0	1	U
1,1,1,2-Tetrachloroethane	ND	0.30	1.0	1	U
1,1,2,2-Tetrachloroethane	ND	0.30	1.0	1	U
Tetrachloroethene	ND	0.30	1.0	1	U
Toluene	ND	0.30	1.0	1	U
1,1,1-Trichloroethane	ND	0.30	1.0	1	U
1,1,2-Trichloroethane	ND	0.30	1.0	1	U
Trichlorofluoromethane	ND	0.30	1.0	1	U
1,2,3-Trichloropropane	ND	0.30	1.0	1	U
Vinyl acetate	ND	1.5	5.0	1	U
Vinyl chloride	ND	0.30	1.0	1	U
Xylene	ND	0.30	3.0	1	U
Trichloroethene	ND	0.30	1.0	1	U
m,p-Xylene	ND	0.30	2.0	1	U
o-Xylene	ND	0.30	1.0	1	U



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-20	Sampling Site: Teton	Collected: 09/27/2016
Lab ID: 1627444006	Media: 500 mL Nalgene	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 6020

Preparation: EPA 3010, SW 6020 Water Prep	<u>Weight/Volume</u>	Analysis: SW 6020A, Water	Instrument ID: ICPM02
Batch: EMS/4607 (HBN: 178295)	Initial: 50 mL	Batch: EMS/4610 (HBN: 178469)	Percent Solid: NA
Prepared: 10/12/2016	Final: 50 mL	Analyzed: 10/13/2016 13:10	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Arsenic	0.62	0.30	1.0	1	J
Beryllium	ND	0.30	1.0	1	U
Cadmium	ND	0.10	1.0	1	U
Cobalt	0.48	0.30	1.0	1	J
Chromium	1.2	0.60	2.0	1	J
Copper	1.2	0.60	2.0	1	J
Nickel	1.8	0.30	1.0	1	
Lead	0.54	0.30	1.0	1	J
Selenium	ND	1.5	5.0	1	U
Silver	ND	0.30	1.0	1	U
Thallium	ND	0.30	1.0	1	U
Vanadium	1.4	0.60	2.0	1	J
Zinc	2.6	0.60	2.0	1	
Antimony	ND	0.60	2.0	1	U
Barium	40	1.5	5.0	1	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 19:23	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
Acetone	ND	1.5	5.0	1	U
Acrylonitrile	ND	1.5	5.0	1	U
Benzene	ND	0.30	1.0	1	U
Bromochloromethane	ND	0.30	1.0	1	U
Bromodichloromethane	ND	0.30	1.0	1	U
Bromoform	ND	0.30	1.0	1	U
Carbon disulfide	ND	0.30	1.0	1	U
Carbon tetrachloride	ND	0.30	1.0	1	U
Chlorobenzene	ND	0.30	1.0	1	U
Chloroethane	ND	0.30	1.0	1	U
Chloroform	ND	0.30	1.0	1	U
Dibromochloromethane	ND	0.30	1.0	1	U
1,2-Dibromo-3-Chloropropane	ND	0.30	1.0	1	U
1,2-Dibromoethane	ND	0.30	1.0	1	U
1,2-Dichlorobenzene	ND	0.30	1.0	1	U
1,4-Dichlorobenzene	ND	0.30	1.0	1	U

Results Continued on Next Page



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Analytical Results

Sample ID: TMW-20	Sampling Site: Teton	Collected: 09/27/2016
Lab ID: 1627444006	Media: 40 mL Amber Glass VOA	Received: 09/30/2016
Matrix: Water	Sampling Parameter: NA	

Analysis Method - SW 8260

Preparation: Not Applicable	Analysis: SW 8260C, Pt. 258, App I Water	Instrument ID: 5975-J
	Batch: EVO/6301 (HBN: 177761)	Percent Solid: NA
	Analyzed: 10/03/2016 19:23	Report Basis: Wet

Analyte	Result (ug/L)	MDL (ug/L)	RL (ug/L)	Dilution	Qual
trans-1,4-Dichloro-2-butene	ND	1.5	5.0	1	U
1,1-Dichloroethane	ND	0.30	1.0	1	U
1,2-Dichloroethane	ND	0.30	1.0	1	U
1,1-Dichloroethene	ND	0.30	1.0	1	U
cis-1,2-Dichloroethene	ND	0.30	1.0	1	U
trans-1,2-Dichloroethene	ND	0.30	1.0	1	U
1,2-Dichloropropane	ND	0.30	1.0	1	U
cis-1,3-Dichloropropene	ND	0.30	1.0	1	U
trans-1,3-Dichloropropene	ND	0.30	1.0	1	U
Ethylbenzene	ND	0.30	1.0	1	U
2-Hexanone	ND	1.5	5.0	1	U
Bromomethane	ND	0.30	1.0	1	U
Chloromethane	ND	0.30	1.0	1	U
Dibromomethane	ND	0.30	1.0	1	U
Methylene chloride	ND	0.30	1.0	1	U
2-Butanone	ND	1.6	5.0	1	U
Iodomethane	ND	0.42	1.0	1	U
4-Methyl-2-pentanone	ND	1.5	5.0	1	U
Styrene	ND	0.30	1.0	1	U
1,1,1,2-Tetrachloroethane	ND	0.30	1.0	1	U
1,1,2,2-Tetrachloroethane	ND	0.30	1.0	1	U
Tetrachloroethene	ND	0.30	1.0	1	U
Toluene	ND	0.30	1.0	1	U
1,1,1-Trichloroethane	ND	0.30	1.0	1	U
1,1,2-Trichloroethane	ND	0.30	1.0	1	U
Trichlorofluoromethane	ND	0.30	1.0	1	U
1,2,3-Trichloropropane	ND	0.30	1.0	1	U
Vinyl acetate	ND	1.5	5.0	1	U
Vinyl chloride	ND	0.30	1.0	1	U
Xylene	ND	0.30	3.0	1	U
Trichloroethene	ND	0.30	1.0	1	U
m,p-Xylene	ND	0.30	2.0	1	U
o-Xylene	ND	0.30	1.0	1	U



ANALYTICAL REPORT

Workorder: **34-1627444**

Client: RMEA

Project Manager: Jessica Helland

Report Authorization (/S/ is an electronic signature that complies with 21 CFR Part 11)

Method	Analyst	Peer Review
SW 6020	/S/ Kristie F. Bitner 10/13/2016 15:32	/S/ Penny A. Foote 10/13/2016 16:24
SW 8260	/S/ Christopher Q. Coleman 10/10/2016 19:07	/S/ Thomas J. Masoian 10/11/2016 07:45

Laboratory Contact Information

ALS Environmental
960 W Levoy Drive
Salt Lake City, Utah 84123

Phone: (801) 266-7700
Email: als@alst.com
Web: www.alst.com

General Lab Comments

The results provided in this report relate only to the items tested.
Samples were received in acceptable condition unless otherwise noted.
Samples have not been blank corrected unless otherwise noted.
This test report shall not be reproduced, except in full, without written approval of ALS.

ALS provides professional analytical services for all samples submitted. ALS is not in a position to interpret the data and assumes no responsibility for the quality of the samples submitted.

All quality control samples processed with the samples in this report yielded acceptable results unless otherwise noted.

ALS is accredited for specific fields of testing (scopes) in the following testing sectors. The quality system implemented at ALS conforms to accreditation requirements and is applied to all analytical testing performed by ALS. The following table lists testing sector, accreditation body, accreditation number and website. Please contact these accrediting bodies or your ALS project manager for the current scope of accreditation that applies to your analytical testing.

Testing Sector	Accreditation Body (Standard)	Certificate Number	Website
Environmental	ANAB (DoD ELAP)	ADE-1420	http://www.anab.org/accredited-organizations/
	Utah (NELAC)	DATA1	http://health.utah.gov/lab/labimp/
	Nevada	UT00009	http://ndep.nv.gov/bsdwlabservice.htm
	Oklahoma	UT00009	http://www.deq.state.ok.us/CSDnew/
	Iowa	IA# 376	http://www.iowadnr.gov/InsideDNR/RegulatoryWater.aspx
	Texas (TNI)	T104704456-11-1	http://www.tceq.texas.gov/field/qa/lab_accred_certif.html
	Washington	C596-16	http://www.ecy.wa.gov/programs/eap/labs/index.html
Industrial Hygiene	Kansas	E-10416	http://www.kdheks.gov/lipo/index.html
	AIHA LAP LLC (ISO 17025 & IHLAP/ELLAP)	101574	http://www.aihaaccreditedlabs.org
Lead Testing: CPSC Soil, Dust, Paint ,Air	Washington	C596-16	http://www.ecy.wa.gov/programs/eap/labs/index.html
	ANAB (ISO 17025, CPSC)	ADE-1420	http://www.anab.org/accredited-organizations/
Dietary Supplements	AIHA LAP LLC (ISO 17025 & IHLAP/ELLAP)	101574	http://www.aihaaccreditedlabs.org
	ACLASS (ISO 17025)	ADE-1420	http://www.aiclasscorp.com



ANALYTICAL REPORT

Workorder: 34-1627444

Client: RMEA

Project Manager: Jessica Helland

Result Symbol Definitions

MDL = Method Detection Limit, a statistical estimate of method/media/instrument sensitivity.

RL = Reporting Limit, a verified value of method/media/instrument sensitivity.

CRDL = Contract Required Detection Limit

Reg. Limit = Regulatory Limit.

ND = Not Detected, testing result not detected above the MDL or RL.

< This testing result is less than the numerical value.

** No result could be reported, see sample comments for details.

Qualifier Symbol Definitions

U = Qualifier indicates that the analyte was not detected above the MDL.

J = Qualifier Indicates that the analyte value is between the MDL and the RL. It is also used to indicate an estimated value for tentatively identified compounds in mass spectrometry where a 1:1 response is assumed.

B = Qualifier indicates that the analyte was detected in the blank.

E = Qualifier indicates that the analyte result exceeds calibration range.

P = Qualifier indicates that the RPD between the two columns is greater than 40%.



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance

Basis: ALS Laboratory Group

Preparation: EPA 3010, SW 6020 Water Prep

Batch: EMS/4607 (HBN: 178295)

Prepared By: Kristie F. Bitner

Analysis: SW 6020

Batch: EMS/4610 (HBN: 178469)

Analyzed By: Kristie F. Bitner

Blank

MB: 522186 Analyzed: 10/13/2016 11:58 Units: ug/L			
Analyte	Result	MDL	RL
Arsenic	ND	0.3	1.00
Beryllium	ND	0.3	1.00
Cadmium	ND	0.1	1.00
Cobalt	ND	0.3	1.00
Chromium	ND	0.6	2.00
Copper	0.936	0.6	2.00
Nickel	ND	0.3	1.00
Lead	ND	0.3	1.00
Selenium	ND	1.5	5.00
Silver	ND	0.3	1.00
Thallium	ND	0.3	1.00
Vanadium	ND	0.6	2.00
Zinc	ND	0.6	2.00
Antimony	ND	0.6	2.00
Barium	ND	1.5	5.00

Laboratory Control Sample

LCS: 522187 Analyzed: 10/13/2016 12:17 Dilution: 1 Units: ug/L					
Analyte	Result	Target	% Rec	QC Limits	
Arsenic	211	200	106	92.1	108.4
Beryllium	223	200	111	84.8	118.0
Cadmium	202	200	101	92.7	109.7
Cobalt	204	200	102	91.3	107.4
Chromium	203	200	102	90.4	107.7
Copper	208	200	104	92.6	113.3
Nickel	210	200	105	92.2	109.2
Lead	200	200	99.8	90.5	108.4
Selenium	206	200	103	94.4	107.9
Silver	200	200	100	90.5	109.9
Thallium	206	200	103	92.9	113.5
Vanadium	203	200	102	87.8	108.2
Zinc	205	200	102	96.0	108.4
Antimony	204	200	102	89.1	116.5
Barium	208	200	104	93.6	109.2



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance

Basis: ALS Laboratory Group

Preparation: EPA 3010, SW 6020 Water Prep

Batch: EMS/4607 (HBN: 178295)

Prepared By: Kristie F. Bitner

Analysis: SW 6020

Batch: EMS/4610 (HBN: 178469)

Analyzed By: Kristie F. Bitner

Matrix Spike

Sample: 1627444001 Analyzed: 10/13/2016 12:25 Dilution: 1 Units: ug/L		MS: 522190 Analyzed: 10/13/2016 12:32 Dilution: 1 Units: ug/L				
Analyte	Result	Result	Target	% Rec	QC Limits	
Arsenic	ND	104	100	104	75.0	125.0
Beryllium	ND	54.8	50	110	75.0	125.0
Cadmium	ND	50	50	99.9	75.0	125.0
Cobalt	ND	201	200	100	75.0	125.0
Chromium	ND	201	200	101	75.0	125.0
Copper	ND	200	200	99.9	75.0	125.0
Nickel	0.680	204	200	102	75.0	125.0
Lead	ND	98.8	100	98.8	75.0	125.0
Selenium	ND	51.7	50	103	75.0	125.0
Silver	ND	49.3	50	98.6	75.0	125.0
Thallium	ND	49.3	50	98.6	75.0	125.0
Vanadium	ND	203	200	101	75.0	125.0
Zinc	0.990	493	500	98.6	75.0	125.0
Antimony	ND	202	200	101	75.0	125.0
Barium	26.0	540	500	103	75.0	125.0

Sample: 1627748001 Analyzed: 10/13/2016 13:14 Dilution: 1 Units: ug/L		MS: 522192 Analyzed: 10/13/2016 13:22 Dilution: 1 Units: ug/L				
Analyte	Result	Result	Target	% Rec	QC Limits	
Arsenic	0.750	102	100	102	75.0	125.0
Cadmium	ND	50	50	100	75.0	125.0
Chromium	ND	197	200	98.4	75.0	125.0
Copper	ND	199	200	99.5	75.0	125.0
Nickel	0.690	200	200	100	75.0	125.0
Lead	ND	98.3	100	98.3	75.0	125.0
Selenium	ND	50.3	50	101	75.0	125.0
Silver	ND	48.9	50	97.8	75.0	125.0
Thallium	ND	48.5	50	96.9	75.0	125.0
Zinc	3.80	500	500	99.1	75.0	125.0
Antimony	ND	192	200	96.0	75.0	125.0



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance

Basis: ALS Laboratory Group

Preparation: EPA 3010, SW 6020 Water Prep

Batch: EMS/4607 (HBN: 178295)

Prepared By: Kristie F. Bitner

Analysis: SW 6020

Batch: EMS/4610 (HBN: 178469)

Analyzed By: Kristie F. Bitner

Matrix Duplicate

Sample: 1627444001 Analyzed: 10/13/2016 12:25 Dilution: 1 Units: ug/L		MD: 522189 Analyzed: 10/13/2016 12:29 Dilution: 1 Units: ug/L			
Analyte	Result	Result	RPD	QC Limits	
Arsenic	ND	ND	NA	0.0	20.0
Beryllium	ND	ND	NA	0.0	20.0
Cadmium	ND	ND	NA	0.0	20.0
Cobalt	ND	ND	NA	0.0	20.0
Chromium	ND	ND	NA	0.0	20.0
Copper	ND	ND	NA	0.0	20.0
Nickel	0.680	0.686	● 0.922	0.0	20.0
Lead	ND	ND	NA	0.0	20.0
Selenium	ND	ND	NA	0.0	20.0
Silver	ND	ND	NA	0.0	20.0
Thallium	ND	ND	NA	0.0	20.0
Vanadium	ND	ND	NA	0.0	20.0
Zinc	0.990	1.06	● 7.16	0.0	20.0
Antimony	ND	ND	NA	0.0	20.0
Barium	26.0	26.4	1.66	0.0	20.0

Sample: 1627748001 Analyzed: 10/13/2016 13:14 Dilution: 1 Units: ug/L		MD: 522191 Analyzed: 10/13/2016 13:18 Dilution: 1 Units: ug/L			
Analyte	Result	Result	RPD	QC Limits	
Arsenic	0.750	0.712	● 5.20	0.0	20.0
Cadmium	ND	ND	NA	0.0	20.0
Chromium	ND	ND	NA	0.0	20.0
Copper	ND	ND	NA	0.0	20.0
Nickel	0.690	0.700	● 1.50	0.0	20.0
Lead	ND	ND	NA	0.0	20.0
Selenium	ND	ND	NA	0.0	20.0
Silver	ND	ND	NA	0.0	20.0
Thallium	ND	ND	NA	0.0	20.0
Zinc	3.80	3.92	● 3.13	0.0	20.0
Antimony	ND	ND	NA	0.0	20.0



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance

Basis: ALS Laboratory Group

Preparation: EPA 3010, SW 6020 Water Prep

Batch: EMS/4607 (HBN: 178295)

Prepared By: Kristie F. Bitner

Analysis: SW 6020

Batch: EMS/4610 (HBN: 178469)

Analyzed By: Kristie F. Bitner

QC Report Authorization (/S/ is an electronic signature that complies with 21 CFR Part 11)

Analyst	Peer Review
/S/ Kristie F. Bitner 10/13/2016 15:32	/S/ Penny A. Foote 10/13/2016 16:24

Symbols and Definitions

- * - Analyte above reporting limit or outside of control limits
- ▲ - Sample result is greater than 4 times the spike added
- ⊗ - Sample and Matrix Duplicate less than 5 times the reporting limit
- - Result is above the calibration range

- RPD - Relative % Difference (Spike / Spike Duplicate)
- ND - Not Detected (U - Qualifier also flags analyte as not detected)
- NA - Not Applicable
- QC results are not adjusted for moisture correction, where applicable



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance

Basis: ALS Laboratory Group

Preparation: NA

Batch: NA

Prepared By: NA

Analysis: SW 8260

Batch: EVO/6301 (HBN: 177761)

Analyzed By: Christopher Q. Coleman

Blank

MB: 521071

Analyzed: 10/03/2016 16:54

Units: ug/L

Analyte	Result	MDL	RL
Acetone	ND	1.5	5.00
Acrylonitrile	ND	1.5	5.00
Benzene	ND	0.3	1.00
Bromochloromethane	ND	0.3	1.00
Bromodichloromethane	ND	0.3	1.00
Bromoform	ND	0.3	1.00
Carbon disulfide	ND	0.3	1.00
Carbon tetrachloride	ND	0.3	1.00
Chlorobenzene	ND	0.3	1.00
Chloroethane	ND	0.3	1.00
Chloroform	ND	0.3	1.00
Dibromochloromethane	ND	0.3	1.00
1,2-Dibromo-3-Chloropropane	ND	0.3	1.00
1,2-Dibromoethane	ND	0.3	1.00
1,2-Dichlorobenzene	ND	0.3	1.00
1,4-Dichlorobenzene	ND	0.3	1.00
trans-1,4-Dichloro-2-butene	ND	1.5	5.00
1,1-Dichloroethane	ND	0.3	1.00
1,2-Dichloroethane	ND	0.3	1.00
1,1-Dichloroethene	ND	0.3	1.00
cis-1,2-Dichloroethene	ND	0.3	1.00
trans-1,2-Dichloroethene	ND	0.3	1.00
1,2-Dichloropropane	ND	0.3	1.00
cis-1,3-Dichloropropene	ND	0.3	1.00
trans-1,3-Dichloropropene	ND	0.3	1.00
Ethylbenzene	ND	0.3	1.00
2-Hexanone	ND	1.5	5.00
Bromomethane	ND	0.3	1.00
Chloromethane	ND	0.3	1.00
Dibromomethane	ND	0.3	1.00
Methylene chloride	ND	0.3	1.00
2-Butanone	ND	1.6	5.00
Iodomethane	ND	0.42	1.00
4-Methyl-2-pentanone	ND	1.5	5.00
Styrene	ND	0.3	1.00
1,1,1,2-Tetrachloroethane	ND	0.3	1.00
1,1,2,2-Tetrachloroethane	ND	0.3	1.00



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance
Basis: ALS Laboratory Group

Preparation: NA
Batch: NA
Prepared By: NA

Analysis: SW 8260
Batch: EVO/6301 (HBN: 177761)
Analyzed By: Christopher Q. Coleman

Blank

MB: 521071 Analyzed: 10/03/2016 16:54 Units: ug/L			
Analyte	Result	MDL	RL
Tetrachloroethene	ND	0.3	1.00
Toluene	ND	0.3	1.00
1,1,1-Trichloroethane	ND	0.3	1.00
1,1,2-Trichloroethane	ND	0.3	1.00
Trichlorofluoromethane	ND	0.3	1.00
1,2,3-Trichloropropane	ND	0.3	1.00
Vinyl acetate	ND	1.5	5.00
Vinyl chloride	ND	0.3	1.00
Xylene	ND	0.3	3.00
Trichloroethene	ND	0.3	1.00
m,p-Xylene	ND	0.3	2.00
o-Xylene	ND	0.3	1.00

Laboratory Control Sample

LCS: 521072 Analyzed: 10/03/2016 15:27 Dilution: 1 Units: ug/L					
Analyte	Result	Target	% Rec	QC Limits	
Acrylonitrile	54.1	50.0	108	60.0	140.0
Chloromethane	44.5	50.0	89.0	66.8	135.9
Vinyl chloride	44.9	50.0	89.9	68.8	136.4
Bromomethane	46.2	50.0	92.5	56.3	146.8
Vinyl acetate	58.8	50.0	118	60.0	140.0
Chloroethane	48.3	50.0	96.7	77.3	129.5
Trichlorofluoromethane	50.6	50.0	101	76.1	131.0
1,1-Dichloroethene	55.1	50.0	110	77.6	136.5
Acetone	57.8	50.0	116	20.8	160.3
Iodomethane	53.8	50.0	108	50.1	154.9
Carbon disulfide	50.7	50.0	101	72.3	127.8
Methylene chloride	52.1	50.0	104	75.9	127.6
trans-1,2-Dichloroethene	52.8	50.0	106	73.5	130.0
cis-1,2-Dichloroethene	50.7	50.0	101	73.5	126.3
1,1-Dichloroethane	50.1	50.0	100	73.2	120.9
2-Butanone	57.4	50.0	115	51.1	147.7
Bromochloromethane	48.7	50.0	97.3	73.7	123.9
Chloroform	51.3	50.0	103	75.4	124.1
1,1,1-Trichloroethane	51.9	50.0	104	75.9	129.4



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance
Basis: ALS Laboratory Group

Preparation: NA
Batch: NA
Prepared By: NA

Analysis: SW 8260
Batch: EVO/6301 (HBN: 177761)
Analyzed By: Christopher Q. Coleman

Laboratory Control Sample

LCS: 521072
Analyzed: 10/03/2016 15:27
Dilution: 1
Units: ug/L

Analyte	Result	Target	% Rec	QC Limits	
1,2-Dichloroethane	51.2	50.0	102	76.9	126.7
Carbon tetrachloride	50.8	50.0	102	73.5	136.2
Benzene	51.8	50.0	104	79.4	124.0
Trichloroethene	52.0	50.0	104	74.5	126.7
1,2-Dichloropropane	51.6	50.0	103	80.7	122.3
Dibromomethane	48.9	50.0	97.9	75.1	120.5
Bromodichloromethane	49.5	50.0	99.0	77.8	125.4
cis-1,3-Dichloropropene	51.4	50.0	103	80.0	129.2
4-Methyl-2-pentanone	54.8	50.0	110	70.9	133.5
trans-1,3-Dichloropropene	49.6	50.0	99.1	83.0	129.6
1,1,2-Trichloroethane	49.4	50.0	98.7	83.3	116.9
2-Hexanone	53.9	50.0	108	56.9	143.8
1,2-Dibromoethane	49.8	50.0	99.5	82.8	120.7
Toluene	50.2	50.0	100	86.1	117.8
Dibromochloromethane	53.6	50.0	107	75.5	136.4
Bromoform	48.6	50.0	97.1	63.1	139.2
Tetrachloroethene	48.4	50.0	96.8	63.2	122.5
Chlorobenzene	48.5	50.0	96.9	86.5	113.3
1,1,1,2-Tetrachloroethane	50.6	50.0	101	81.3	130.8
Ethylbenzene	49.4	50.0	98.7	88.4	117.0
m,p-Xylene	98.6	100	98.6	88.4	116.9
o-Xylene	49.2	50.0	98.3	86.5	116.1
Styrene	50.7	50.0	101	89.1	121.1
1,1,2,2-Tetrachloroethane	50.2	50.0	100	77.8	128.9
1,2,3-Trichloropropane	51.5	50.0	103	76.5	127.9
trans-1,4-Dichloro-2-butene	44.5	50.0	89.0	58.2	139.4
1,4-Dichlorobenzene	47.8	50.0	95.6	82.0	117.8
1,2-Dichlorobenzene	47.8	50.0	95.6	81.4	119.9
1,2-Dibromo-3-Chloropropane	52.7	50.0	105	56.2	157.5

Matrix Spike - Matrix Spike Duplicate

Sample: 1627444006 Analyzed: 10/03/2016 19:23 Dilution: 1 Units: ug/L		MS: 521074 Analyzed: 10/03/2016 21:52 Dilution: 1 Units: ug/L					MSD: 521075 Analyzed: 10/03/2016 22:16 Dilution: 1 Units: ug/L				
Analyte	Result	Result	Target	% Rec	QC Limits		Result	% Rec	RPD	QC Limits	
Acrylonitrile	ND	49.8	50	99.6	60.0	140.0	53.9	108	7.96	0.0	20.0
Chloromethane	ND	48.5	50	97.0	66.8	135.9	45.2	90.5	7.02	0.0	20.0



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance
Basis: ALS Laboratory Group

Preparation: NA
Batch: NA
Prepared By: NA

Analysis: SW 8260
Batch: EVO/6301 (HBN: 177761)
Analyzed By: Christopher Q. Coleman

Matrix Spike - Matrix Spike Duplicate

Sample: 1627444006 Analyzed: 10/03/2016 19:23 Dilution: 1 Units: ug/L		MS: 521074 Analyzed: 10/03/2016 21:52 Dilution: 1 Units: ug/L					MSD: 521075 Analyzed: 10/03/2016 22:16 Dilution: 1 Units: ug/L				
Analyte	Result	Result	Target	% Rec	QC Limits	Result	% Rec	RPD	QC Limits		
Vinyl chloride	ND	50.6	50	101	68.8 136.4	46.9	93.8	7.45	0.0 20.0		
Bromomethane	ND	52.7	50	105	56.3 146.8	52	104	1.33	0.0 20.0		
Vinyl acetate	ND	42.7	50	85.4	60.0 140.0	43.9	87.7	2.67	0.0 20.0		
Chloroethane	ND	49.9	50	99.9	77.3 129.5	46.8	93.5	6.53	0.0 20.0		
Trichlorofluoromethane	ND	54.2	50	108	76.1 131.0	50.3	101	7.47	0.0 20.0		
1,1-Dichloroethene	ND	52.5	50	105	77.6 136.5	48.9	97.8	7.17	0.0 20.0		
Acetone	ND	45.9	50	91.8	20.8 160.3	49.3	98.6	7.17	0.0 20.0		
Iodomethane	ND	55.2	50	110	50.1 154.9	52.3	105	5.28	0.0 20.0		
Carbon disulfide	ND	53	50	106	72.3 127.8	47.8	95.6	10.4	0.0 20.0		
Methylene chloride	ND	50	50	100	75.9 127.6	49.6	99.2	0.801	0.0 20.0		
trans-1,2-Dichloroethene	ND	52.7	50	105	73.5 130.0	48.4	96.8	8.45	0.0 20.0		
cis-1,2-Dichloroethene	ND	51.6	50	103	73.5 126.3	49.7	99.5	3.63	0.0 20.0		
1,1-Dichloroethane	ND	50.9	50	102	73.2 120.9	48.5	97.1	4.68	0.0 20.0		
2-Butanone	ND	50.6	50	101	51.1 147.7	51.2	102	1.26	0.0 20.0		
Bromochloromethane	ND	51.9	50	104	73.7 123.9	51.8	104	0.21	0.0 20.0		
Chloroform	ND	53.1	50	106	75.4 124.1	50.1	100	5.8	0.0 20.0		
1,1,1-Trichloroethane	ND	54.3	50	109	75.9 129.4	51	102	6.26	0.0 20.0		
1,2-Dichloroethane	ND	51.7	50	103	76.9 126.7	51.9	104	0.34	0.0 20.0		
Carbon tetrachloride	ND	55.1	50	110	73.5 136.2	51.2	102	7.28	0.0 20.0		
Benzene	ND	51.5	50	103	79.4 124.0	49.2	98.5	4.54	0.0 20.0		
Trichloroethene	ND	53.6	50	107	74.5 126.7	50.5	101	6	0.0 20.0		
1,2-Dichloropropane	ND	50.6	50	101	80.7 122.3	49.2	98.4	2.78	0.0 20.0		
Dibromomethane	ND	51.7	50	103	75.1 120.5	52.4	105	1.26	0.0 20.0		
Bromodichloromethane	ND	52	50	104	77.8 125.4	51.2	102	1.54	0.0 20.0		
cis-1,3-Dichloropropene	ND	49.8	50	99.5	80.0 129.2	49.3	98.5	1.02	0.0 20.0		
4-Methyl-2-pentanone	ND	49	50	98.0	70.9 133.5	53.1	106	7.99	0.0 20.0		
trans-1,3-Dichloropropene	ND	49	50	97.9	83.0 129.6	48.6	97.1	0.812	0.0 20.0		
1,1,2-Trichloroethane	ND	50.2	50	100	83.3 116.9	50.6	101	0.889	0.0 20.0		
2-Hexanone	ND	45.9	50	91.8	56.9 143.8	51.1	102	10.7	0.0 20.0		
1,2-Dibromoethane	ND	50.6	50	101	82.8 120.7	51.4	103	1.7	0.0 20.0		
Toluene	ND	50.3	50	101	86.1 117.8	47.6	95.3	5.39	0.0 20.0		
Dibromochloromethane	ND	51	50	102	75.5 136.4	51.8	104	1.44	0.0 20.0		
Bromoform	ND	50	50	100	63.1 139.2	51.6	103	3.05	0.0 20.0		
Tetrachloroethene	ND	51	50	102	63.2 122.5	47.3	94.6	7.54	0.0 20.0		
Chlorobenzene	ND	50.6	50	101	86.5 113.3	48.9	97.9	3.33	0.0 20.0		
1,1,1,2-Tetrachloroethane	ND	51.6	50	103	81.3 130.8	49.9	99.8	3.44	0.0 20.0		
Ethylbenzene	ND	51.2	50	102	88.4 117.0	47.9	95.8	6.71	0.0 20.0		



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance
Basis: ALS Laboratory Group

Preparation: NA
Batch: NA
Prepared By: NA

Analysis: SW 8260
Batch: EVO/6301 (HBN: 177761)
Analyzed By: Christopher Q. Coleman

Matrix Spike - Matrix Spike Duplicate

Sample: 1627444006 Analyzed: 10/03/2016 19:23 Dilution: 1 Units: ug/L		MS: 521074 Analyzed: 10/03/2016 21:52 Dilution: 1 Units: ug/L					MSD: 521075 Analyzed: 10/03/2016 22:16 Dilution: 1 Units: ug/L				
Analyte	Result	Result	Target	% Rec	QC Limits		Result	% Rec	RPD	QC Limits	
m,p-Xylene	ND	103	100	103	88.4	116.9	96.9	96.9	6.09	0.0	20.0
o-Xylene	ND	51.2	50	102	86.5	116.1	49	98.0	4.41	0.0	20.0
Styrene	ND	51.9	50	104	89.1	121.1	49.9	99.8	3.83	0.0	20.0
1,1,2,2-Tetrachloroethane	ND	48	50	96.0	77.8	128.9	50.4	101	4.83	0.0	20.0
1,2,3-Trichloropropane	ND	50.2	50	100	76.5	127.9	52.7	105	4.75	0.0	20.0
trans-1,4-Dichloro-2-butene	ND	48	50	96.1	58.2	139.4	49.7	99.3	3.31	0.0	20.0
1,4-Dichlorobenzene	ND	50	50	100	82.0	117.8	48.6	97.2	2.85	0.0	20.0
1,2-Dichlorobenzene	ND	50.2	50	100	81.4	119.9	49.2	98.4	1.99	0.0	20.0
1,2-Dibromo-3-Chloropropane	ND	49.1	50	98.3	56.2	157.5	51	102	3.66	0.0	20.0

Surrogate Recoveries

Surrogate	1,2-Dichloroethane-d4			Toluene-d8			4-Bromofluorobenzene		
QC Limits	72.2		123.4	77.5		116.4	78.5		121.6
Units	ug/L			ug/L			ug/L		
Lab ID	Result	Target	% Recovery	Result	Target	% Recovery	Result	Target	% Recovery
1627444001	51.2	50.0	102	49.4	50.0	98.8	50.5	50.0	101
1627444002	51.5	50.0	103	49.5	50.0	99.1	50.1	50.0	100
1627444003	51.5	50.0	103	49.6	50.0	99.3	50.4	50.0	101
1627444004	51.6	50.0	103	49.6	50.0	99.2	50.0	50.0	99.9
1627444005	51.0	50.0	102	50.0	50.0	100	50.5	50.0	101
1627444006	52.0	50.0	104	49.5	50.0	98.9	50.1	50.0	100

Surrogate	1,2-Dichloroethane-d4			Toluene-d8			4-Bromofluorobenzene		
QC Limits	72.2		123.4	77.5		116.4	78.5		121.6
Units	ug/L			ug/L			ug/L		
Lab ID	Result	Target	% Recovery	Result	Target	% Recovery	Result	Target	% Recovery
521072-LCS	49.6	50.0	99.2	49.0	50.0	98.0	49.7	50.0	99.4
521071-MB	51.6	50.0	103	49.4	50.0	98.8	50.4	50.0	101
1627436003	51.4	50.0	103	49.3	50.0	98.5	48.6	50.0	97.3
1627436001	51.7	50.0	103	49.9	50.0	99.8	48.9	50.0	97.9
1627436002	52.6	50.0	105	49.4	50.0	98.8	49.5	50.0	99.1
521074-MS	50.7	50.0	101	49.4	50.0	98.8	49.5	50.0	99.0
521075-MSD	51.0	50.0	102	49.1	50.0	98.2	49.6	50.0	99.2



Quality Control Sample Batch Report

Analysis Information

Workorder: 1627444

Limits: Historical/Performance

Basis: ALS Laboratory Group

Preparation: NA

Batch: NA

Prepared By: NA

Analysis: SW 8260

Batch: EVO/6301 (HBN: 177761)

Analyzed By: Christopher Q. Coleman

QC Report Authorization (/S/ is an electronic signature that complies with 21 CFR Part 11)

Analyst	Peer Review
/S/ Christopher Q. Coleman 10/10/2016 19:07	/S/ Thomas J. Masoian 10/11/2016 07:45

Symbols and Definitions

- * - Analyte above reporting limit or outside of control limits
- ▲ - Sample result is greater than 4 times the spike added
- - Sample and Matrix Duplicate less than 5 times the reporting limit
- - Result is above the calibration range

- RPD - Relative % Difference (Spike / Spike Duplicate)
- ND - Not Detected (U - Qualifier also flags analyte as not detected)
- NA - Not Applicable
- QC results are not adjusted for moisture correction, where applicable



Client Name & Address:

Arceles Rmea

402 Constitution Way #303
Maha Hills ID 83402

Project Name & No.:

Tefn 12-0094

ALS Quote No.:

Report to: Rameel

Report to e-mail: Rameel.Rmea@gmail.com

Phone: 208/524-3353

e-mail: Rameel.rmea@gmail.com

Bill to: Rameel

Field Sample Number

Site ID

Depth

Date/Time

No. of Containers

Sample for Matrix QC

Analyses Requested

Preservation Code

Sample Matrix Code

Remarks

Appx 1 metals
Appx 1 VOC
(Acrylonitrile & vinyl acetate)

- Matrix Codes:
- W) Water
 - L) Liquid
 - S) Soil
 - C) Solid
 - B) Bulk
 - F) Filter
 - G) Wipe
 - M) Media
- Preservation Codes:
- 1) Cool to 4°C
 - 2) HCl to pH<2, 4°C
 - 3) H₂SO₄ to pH<2, 4°C
 - 4) HNO₃ to pH<2, 4°C
 - 5) NaOH to pH>12, 4°C
 - 6) ZnOAc/NaOH to pH>8, 4°C

- Possible Hazard Identification
- Non-Hazard
 - Skin Irritant
 - Rad
 - Flammable
 - Poison
 - Unknown

- Sample Disposal
- Return to Client
 - Disposal by Lab
 - Archive _____ Months
- (fees assessed for samples retained > 3 months)

- Data Deliverable:
- Level 1
 - Level 2
 - Level 3
 - Level 4

- Requested Turn Around Time
- 2 Days (Rush)
 - 3 Days (Rush)
 - 7 Days (Rush)
 - 14 Days
- (Rush = email data by COB on day due. Surcharges assessed.)

Relinquished by: (Signature)

Rameel Rmea

Date: 9/24/16

Time: 5:30pm

Received by: (Signature)

M. McArthur

Date: 9/24/16

Time: 4:30pm

Received by: (Signature)

Relinquished by: (Signature)

Date:

Time:

Received by: (Signature)

Date:

Time:

Shipped to:

ALS Environmental
960 West LeVoy Drive
Salt Lake City, UT 84123
Phone: (800) 356-9135
Phone: (801) 266-7700
FAX: (801) 268-9992
WEB: www.alsglobal.com

ALS - SALT LAKE CITY-RELATED INFORMATION REPORT (CRIR)

COOLER OR CONTAINER INFORMATION CHECKLIST (Fill In or Circle)

Client Name: <u>PMEA</u>		Project/Task/Site: <u>1627904</u>						
Date/Time of Receipt: <u>09/30/2014 10:07</u>		Number of Coolers Received: <u>1</u>						
Condition of Coolers: <u>Acceptable/Unacceptable</u> Cooler Custody Seals: <u>Present/Absent/NA</u> Intact/Broken/ <u>NA</u> Container Custody Seals: <u>Present/Absent/NA</u> Intact/Broken/ <u>NA</u> Ice Present: <u>Yes/No/NA</u> <u>Frozen/Melted/NA</u>		Temperature Control: <u>Present/Not Included</u> Location Temp Taken: <u>Control/Between Samples</u> Are all temperatures within project specific guidelines? <u>Yes/No/NA</u> VOA Headspace Present? <u>Yes/No/NA</u>						
pH Check Performed:	Metals	<u>Yes/No/NA</u>	Total Phenolics	<u>Yes/No/NA</u>	NO3/NO2	<u>Yes/No/NA</u>		
	Cyanide	<u>Yes/No/NA</u>	TPH - 418.1	<u>Yes/No/NA</u>	Oil & Grease	<u>Yes/No/NA</u>		
	Sulfide	<u>Yes/No/NA</u>	COD	<u>Yes/No/NA</u>	Total Phosphorous	<u>Yes/No/NA</u>		
	Ammonia	<u>Yes/No/NA</u>	TKN	<u>Yes/No/NA</u>	TOC Preserved	<u>Yes/No/NA</u>		
<u>Cooler Received</u>	<u>ALS Cooler No.</u>	<u>Temp.</u>	<u>Cooler Received</u>	<u>ALS Cooler No.</u>	<u>Temp.</u>	<u>Cooler Received</u>	<u>ALS Cooler No.</u>	<u>Temp.</u>
1	C16 <u>CH53</u>	3 °C	4	C16	°C	7	C16	°C
2	C16	°C	5	C16	°C	8	C16	°C
3	C16	°C	6	C16	°C	9	C16	°C
Taken By: <u></u> <u>Marianne Schm. Jr.</u> <u>9/30/2014</u> <small>Signature</small> <small>Printed Name</small> <small>Date</small>								

CLIENT-RELATED INFORMATION

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Missing Cooler | <input type="checkbox"/> Missing Samples/Bottles | <input type="checkbox"/> Incorrect Preservation | <input type="checkbox"/> Insufficient Sample Volume |
| <input type="checkbox"/> Cooler Conditions | <input type="checkbox"/> Broken/Leaking Samples | <input type="checkbox"/> pH Criteria Not Met | <input type="checkbox"/> Chain of Custody Problems |
| <input type="checkbox"/> Missing Paperwork | <input type="checkbox"/> Incorrect Bottle Type | <input type="checkbox"/> Residual Chlorine Present | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Missing/Incorrect Bottle Labels | <input type="checkbox"/> Cooler Temperatures Out of Range | <input type="checkbox"/> Head Space in Bottles | |

BRIEFLY DESCRIBE THE PROBLEM AND THE ACTION TAKEN: Client Drop off!

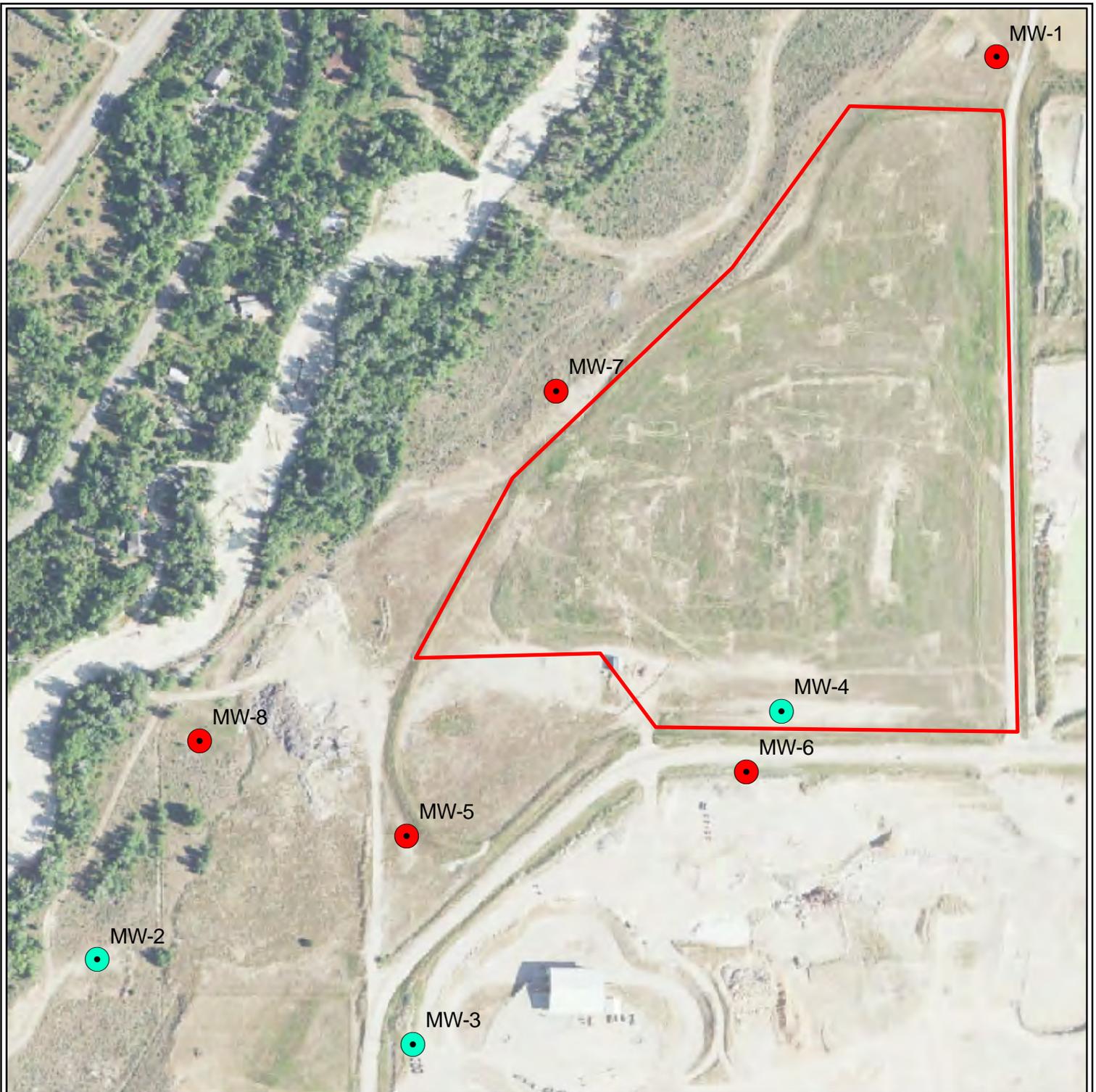
E-mailed to Client? YES No

Response Required Within 24 Hours

PROJECT MANAGEMENT

PROJECT MANAGER COMMENTS:

ALS Project Manager: _____ Returned to Sample Receipt by: _____ Date: _____
Printed Name Signature



Legend

- Deep Wells
- Shallow Wells
- Approximate Landfill Boundary



Figure 2: Site Sketch

**Teton County Municipal
Landfill Monitoring Wells**



Prepared for: Teton County
 Project Manager: Rachel Wood
 Drawn by: R Wood

Date: 2/15/2016
 Project #: 12-0094

County property with respect to operations, including directions to unload collection vehicles in designated areas, accommodating construction and maintenance, and hazardous waste exclusion programs. Franchisee shall at all times operate according to safe industry practices.

14. Customer Information and Public Education

A. Franchisee shall maintain an up to date website that describes Franchisee's Collection Services, including without limitation information about the various available containers, rates, charges, recycling program and related customer responsibilities. Franchisee shall also maintain a customer service contact method that shall be available during hours of operation as defined in Paragraph 12C of this Agreement. Franchisee shall be responsible for prompt and courteous attention to customer service issues. Franchisee shall provide the County with a means of contacting a representative of the Franchisee on a twenty-four (24) hour basis by providing the Franchisee's Operation Director's cell phone.

B. Franchisee shall allocate 4% of its annual gross revenue to education of the public about the benefits of waste diversion through its marketing and communications budget.

C. Franchisees will have a Recommendation Chart on its website displaying recycling opportunities.

D. Franchisee shall host an annual event focused on educating the public regarding the benefits of waste diversion.

15. Rates.

Franchisee shall not charge more than the rate specified for each service provided on the 7 Year Contract Rate sheet that is attached hereto and incorporated herein as Exhibit B.

16. Rate Adjustments

Because the rates are Franchisee's sole compensation for the Collection Services, the rates must be sufficient to pay known and unknown costs that may increase over time Accordingly, County and Franchisee agree that the rates may be increased ("Rate Adjustment") in an amount necessary to compensate Franchisee for:

A. Increase in fees, expenses or costs to Franchisee for the transfer, processing, transportation, recycling, or Disposal of Solid Waste and Recyclable Materials charged by the Transfer Station.

B. Franchisee may initiate a Rate Adjustment under this Paragraph not more than once annually. To obtain a Rate Adjustment, Franchisee shall prepare and submit to the County a rate adjustment setting forth the nature of the event causing the increase in costs and a calculation of the increased costs and the Rate Adjustment necessary to offset such increased costs. The County may request any and all documentation and data reasonable necessary to evaluate the Rate Adjustment and shall confirm or deny within ninety (90) days of receipt of the statement from Franchisee. The County may accept or reject the request in its sole discretion.

EXHIBIT A

DESCRIPTION FOR A PATHWAY EASEMENT FROM TARGHEE HILL ESTATES LLC TO TETON REGIONAL LAND TRUST

A 18-foot wide pathway easement located in Targhee Hill Estates Phase 1, as recorded in the Office of the Teton County Clerk as instrument number 194449 and being located within the S1/2 S1/2 of Section 20, Township 5 North, Range 46 East, B.M., Teton County, Idaho, being 9 foot each side of the following described centerline:

Beginning at a Point on the west line of the SW1/4 of Said Section 20 and also being the west line of Targhee Hill Estates Phase 1, which point lies N00°02'52"E, 138.96 feet from the southwest corner of said Section 20;

Thence leaving said west line along a non-tangent circular curve to the right;

Thence along said curve, having a radius of 150.00 feet, a chord of 68.16 feet, bearing N39°01'16"E, through a central angle of 26°15'47", an arc distance of 68.76 feet;

Thence N52°09'09"E, 164.59 feet to a circular curve to the left;

Thence along said curve, having a radius of 500.00 feet, a chord distance of 116.58 feet, bearing N45°27'29"E, through a central angle of 13°23'20", and an arc distance of 116.84 feet to a reverse curve to the right;

Thence along said reverse curve, having a radius of 500.00 feet, a chord distance of 214.91 feet, bearing N51°10'26"E, through a central angle of 24°49'14", and an arc distance of 216.60 feet;

Thence N63°35'03"E, 311.32 feet to a circular to the left;

Thence along said curve, having a radius of 200.00 feet, a chord distance of 106.98 feet, bearing N48°04'15"E, through a central angle of 31°01'35", and an arc distance of 108.30 feet;

Thence N32°33'28"E, 123.48 feet to a circular to the right;

Thence along said curve, having a radius of 50.00 feet, a chord distance of 71.50 feet, bearing N78°12'05"E, through a central angle of 91°17'14", and an arc distance of 79.66 feet;

Thence S56°09'18"E, 67.39 feet to a circular to the left;

Thence along said curve, having a radius of 100.00 feet, a chord distance of 70.68 feet, bearing S76°51'07"E, through a central angle of 41°23'38", and an arc distance of 72.25 feet;

Thence N82°27'04"E, 172.70 feet to a circular to the left;

Thence along said curve, having a radius of 150.00 feet, a chord distance of 116.57 feet, bearing N59°35'08"E, through a central angle of 45°43'53", and an arc distance of 119.72 feet;

Thence N36°43'11"E, 191.82 feet to a circular to the right;

Thence along said curve, having a radius of 600.00 feet, a chord distance of 332.97 feet, bearing N52°49'45"E, through a central angle of 32°13'09", and an arc distance of 337.40 feet to a reverse curve to the left;

Thence along said curve, having a radius of 100.00 feet, a chord distance of 56.03 feet, bearing N52°40'14"E, through a central angle of 32°32'11", and an arc distance of 56.79 feet;

Thence N36°24'08"E, 12.57 feet to a circular to the right;

Thence along said curve, having a radius of 100.00 feet, a chord distance of 26.70 feet, bearing N44°04'25"E, through a central angle of 15°20'33", and an arc distance of 26.78 feet;

Thence N51°44'41"E, 19.44 feet to a circular to the right;

Thence along said curve, having a radius of 50.00 feet, a chord distance of 31.01 feet, bearing N69°48'44"E, through a central angle of 36°08'05", and an arc distance of 31.53 feet;

Thence N87°52'46"E, 59.03 feet to a circular to the right;

Thence along said curve, having a radius of 500.00 feet, a chord distance of 48.65 feet, bearing S89°19'56"E, through a central angle of 05°34'36", and an arc distance of 48.67 feet;

Thence S86°32'38"E, 161.41 feet to a circular to the left;

Thence along said curve, having a radius of 500.00 feet, a chord distance of 29.49 feet, bearing S88°14'01"E, through a central angle of 03°22'47", and an arc distance of 29.49 feet;

Thence S89°55'25"E, 936.95 feet to a circular to the right;

Thence along said curve, having a radius of 500.00 feet, a chord distance of 76.34 feet, bearing S85°32'44"E, through a central angle of 08°45'22", and an arc distance of 76.41 feet;

Thence S81°10'03"E, 32.96 feet to a circular to the left;

Thence along said curve, having a radius of 500.00 feet, a chord distance of 65.31 feet, bearing S84°54'44"E, through a central angle of 07°29'22", and an arc distance of 65.36 feet;

Thence S88°39'25"E, 324.28 feet to a circular to the left;

Thence along said curve, having a radius of 500.00 feet, a chord distance of 81.09 feet, bearing N86°41'32"E, through a central angle of 09°18'08", and an arc distance of 81.18 feet;

Thence N82°02'28"E, 122.46 feet to the easterly boundary line of Said Targhee Hill Estates Phase 1, and being S00°16'55"E, 23.81 feet from the Northeast Corner of said Targhee Hill Estates Phase 1;

The side lines of said described easement to be lengthened or shortened to terminate on the described lines.

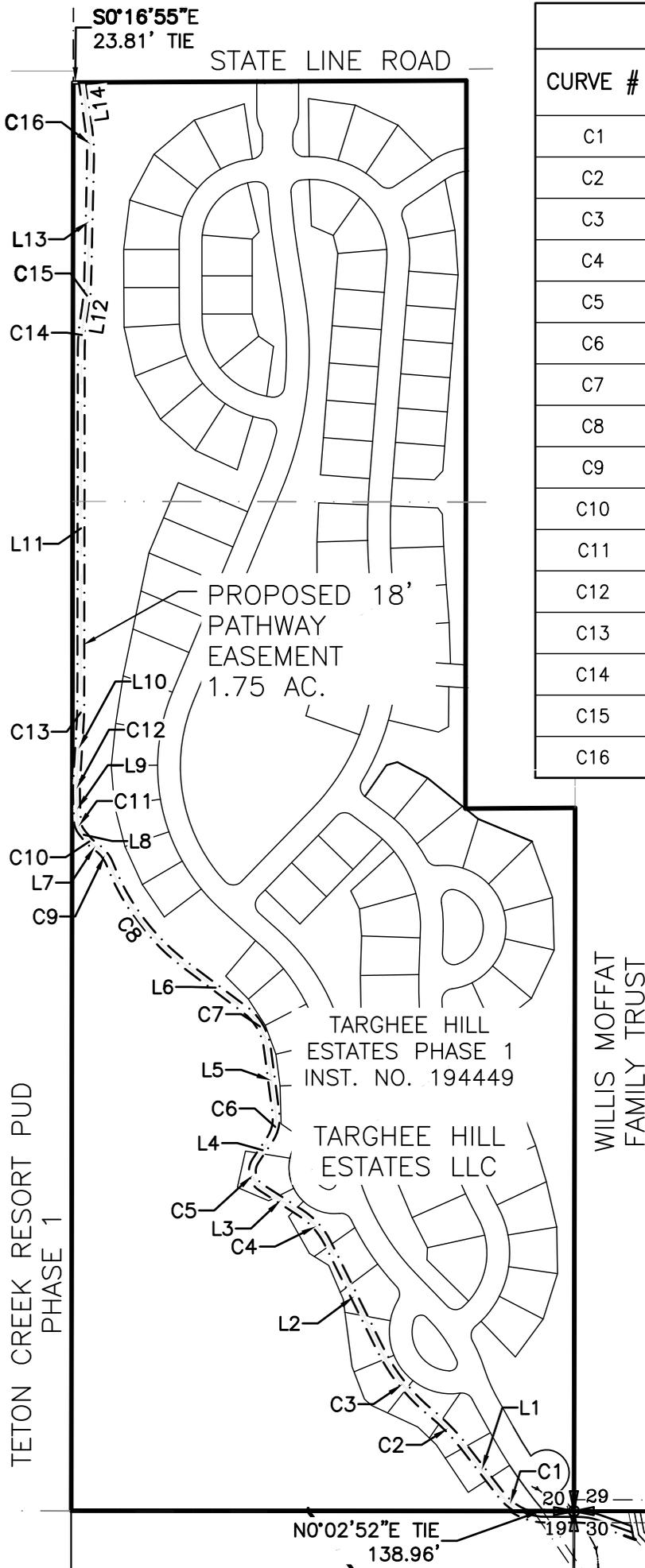
Said easement contains 1.75 acres, more or less, and is subject to any easements, rights-of-way, reservations or restrictions of sight and/or of record.

All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

Lucas D. Rudolph
Idaho PLS 13767
Nelson Engineering
Project 15-017-03
November 3, 2016

EXHIBIT B

A PATHWAY EASEMENT
FROM TARGHEE HILL ESTATES LLC
TO TETON REGIONAL LAND TRUST

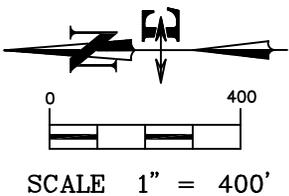


EASEMENT CURVE DATA

CURVE #	LENGTH	RADIUS	DELTA	CHORD BRNG	CHORD LENGTH
C1	68.76	150.00	26°15'47"	N39°01'16"E	68.16
C2	116.84	500.00	13°23'20"	N45°27'29"E	116.58
C3	216.60	500.00	24°49'14"	N51°10'26"E	214.91
C4	108.30	200.00	31°01'35"	N48°04'15"E	106.98
C5	79.66	50.00	91°17'14"	N78°12'05"E	71.50
C6	72.25	100.00	41°23'38"	S76°51'07"E	70.68
C7	119.72	150.00	45°43'53"	N59°35'08"E	116.57
C8	337.40	600.00	32°13'09"	N52°49'45"E	332.97
C9	56.79	100.00	32°32'11"	N52°40'14"E	56.03
C10	26.78	100.00	15°20'33"	N44°04'25"E	26.70
C11	31.53	50.00	36°08'05"	N69°48'44"E	31.01
C12	48.67	500.00	5°34'36"	S89°19'56"E	48.65
C13	29.49	500.00	3°22'47"	S88°14'01"E	29.49
C14	76.41	500.00	8°45'22"	S85°32'44"E	76.34
C15	65.36	500.00	7°29'22"	S84°54'44"E	65.31
C16	81.18	500.00	9°18'08"	N86°41'32"E	81.09

EASEMENT LINE DATA

LINE #	LENGTH	DIRECTION
L1	164.59	N52°09'09"E
L2	311.32	N63°35'03"E
L3	123.48	N32°33'28"E
L4	67.39	S56°09'18"E
L5	172.70	N82°27'04"E
L6	191.82	N36°43'11"E
L7	12.57	N36°24'08"E
L8	19.44	N51°44'41"E
L9	59.03	N87°52'46"E
L10	161.41	S86°32'38"E
L11	936.95	S89°55'25"E
L12	32.96	S81°10'03"E
L13	324.28	S88°39'25"E
L14	122.46	N82°02'28"E



LOCATED WITHIN THE
S1/2 S 1/2
SEC 20, T5N, R46E,
TETON COUNTY, IDAHO

DRAWING NO 1	DRAWING TITLE TETON VALLEY TRAILS & PATHWAY
JOB NO 15-017-03	PATHWAY EASEMENT THRU TARGHEE HILL ESTATES LLC

**NELSON
ENGINEERING**

P.O. BOX 1599, JACKSON WYOMING (307) 733-2087

DATE	11/03/16
ENGINEERED	
DRAWN	SK
CHECKED	LR
APPROVED	LR

EXHIBIT A

DESCRIPTION FOR A PATHWAY EASEMENT FROM TETON COUNTY, IDAHO TO TETON REGIONAL LAND TRUST

A 30-foot wide pathway easement located in the W ½ of Section 30, And the SE ¼ of Section 25, Township 5 North, Range 46 East, B.M., Teton County, Idaho, being 15 foot each side of the following described centerline:

Beginning at a Point on the south line of the SE ¼ of Said Section 25, which point lies S89°19'50"W, 1286.13 feet from the southeast corner of Section 25.

Thence leaving said south line, N00°40'09"W, 23.34 feet, to a circular curve to the right.

Thence along said curve, a radius of 300.00 feet, a chord distance of 241.54 feet, Bearing N23°04'12"E, through a central angle of 47°28'42", and an arc distance of 248.60 feet;

Thence N46°48'33"E, 242.62 feet, to a circular curve to the left;

Thence along said curve, a radius of 1500.00 feet, a chord distance of 363.70 feet, Bearing N39°50'45"E, through a central angle of 13°55'35", and an arc distance of 364.59 feet to a reverse curve to the right;

Thence along said reverse curve, having a radius of 790.00 feet, a chord distance of 186.12 feet, Bearing N39°38'51"E, through a central angle of 13°31'47", and an arc distance of 186.55 feet to a reverse curve to the left;

Thence along said reverse curve, having a radius of 100.00 feet, a chord distance of 78.65 feet, Bearing N23°15'21"E, through a central angle of 46°18'46", and an arc distance of 80.83 feet;

Thence N00°05'58"E, 54.49 feet, to a circular curve to the right;

Thence along said curve, a radius of 100.00 feet, a chord distance of 58.91 feet, Bearing N17°13'53"E, through a central angle of 34°15'48", and an arc distance of 59.80 feet;

Thence N34°21'47"E, 62.46 feet, to a circular curve to the left;

Thence along said curve, a radius of 300.00 feet, a chord distance of 53.26 feet, Bearing N29°16'13"E, through a central angle of 10°11'07", and an arc distance of 53.33 feet;

Thence N24°10'40"E, 210.56 feet, to a circular curve to the right;

Thence along said curve, a radius of 100.00 feet, a chord distance of 71.50 feet, Bearing N45°07'31"E, through a central angle of 41°53'42", and an arc distance of 73.12 feet to a reverse curve to the left;

Thence along said reverse curve, having a radius of 288.24 feet, a chord distance of 202.75 feet, Bearing N45°28'52"E, through a central angle of 41°10'59", and an arc distance of 207.18 feet to a reverse curve to the right;

Thence along said reverse curve, having a radius of 300.00 feet, a chord distance of 104.04 feet, Bearing N34°52'32"E, through a central angle of 19°58'18", and an arc distance of 104.57 feet;

Thence N44°51'41"E, 43.10 feet to a circular curve to the right;

Thence along said curve, a radius of 300.00 feet, a chord distance of 63.46 feet, Bearing N50°55'59"E, through a central angle of 12°08'35", and an arc distance of 63.58 feet;

Thence N57°00'16"E, 512.31 feet, to a circular curve to the left;

Thence along said curve, a radius of 300.00 feet, a chord distance of 18.69 feet, Bearing N55°13'11"E, through a central angle of 3°34'11", and an arc distance of 18.69 feet;

Thence N53°26'05"E, 372.59 feet to a circular curve to the right;

Thence along said curve, a radius of 300.00 feet, a chord distance of 68.55 feet, Bearing N59°59'44"E, through a central angle of 13°07'17", and an arc distance of 68.70 feet;

Thence N66°33'22"E, 136.86 feet to a circular curve to the left;

Thence along said curve, a radius of 200.00 feet, a chord distance of 146.64 feet, Bearing N45°03'02"E, through a central angle of 43°00'40", and an arc distance of 150.14 feet;

Thence N23°32'42"E, 145.91 feet to a circular curve to the right;

Thence along said curve, a radius of 200.00 feet, a chord distance of 35.71 feet, Bearing N28°39'59"E, through a central angle of 10°14'35", and an arc distance of 35.75 feet;

Thence N33°47'17"E, 216.08 feet to a circular curve to the right;

Thence along said curve, a radius of 600.00 feet, a chord distance of 274.43 feet, Bearing N47°00'30"E, through a central angle of 26°26'26", and an arc distance of 276.89 feet;

Thence N61°10'39"E, 31.32 feet to a point on the west line of the SE ¼, NW ¼ of said Section 30;

Said end point being N00°21'22"E, 243.48 feet from the C-W 1/16 corner of said Section 30;

The side lines of said described easement to be lengthened or shortened to terminate on the described lines.

Said easement contains 2.79 acres, more or less, and is subject to any easements, rights-of-way, reservations or restrictions of sight and/or of record.

All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

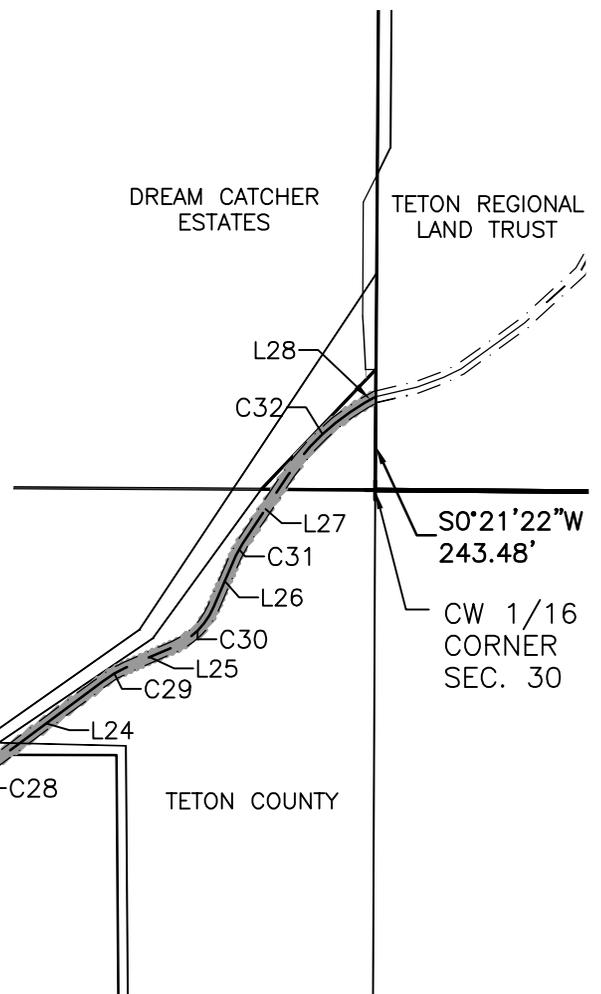
Lucas D. Rudolph
Idaho PLS 13767
Nelson Engineering
Project 15-017-03
October 24, 2016

EXHIBIT B

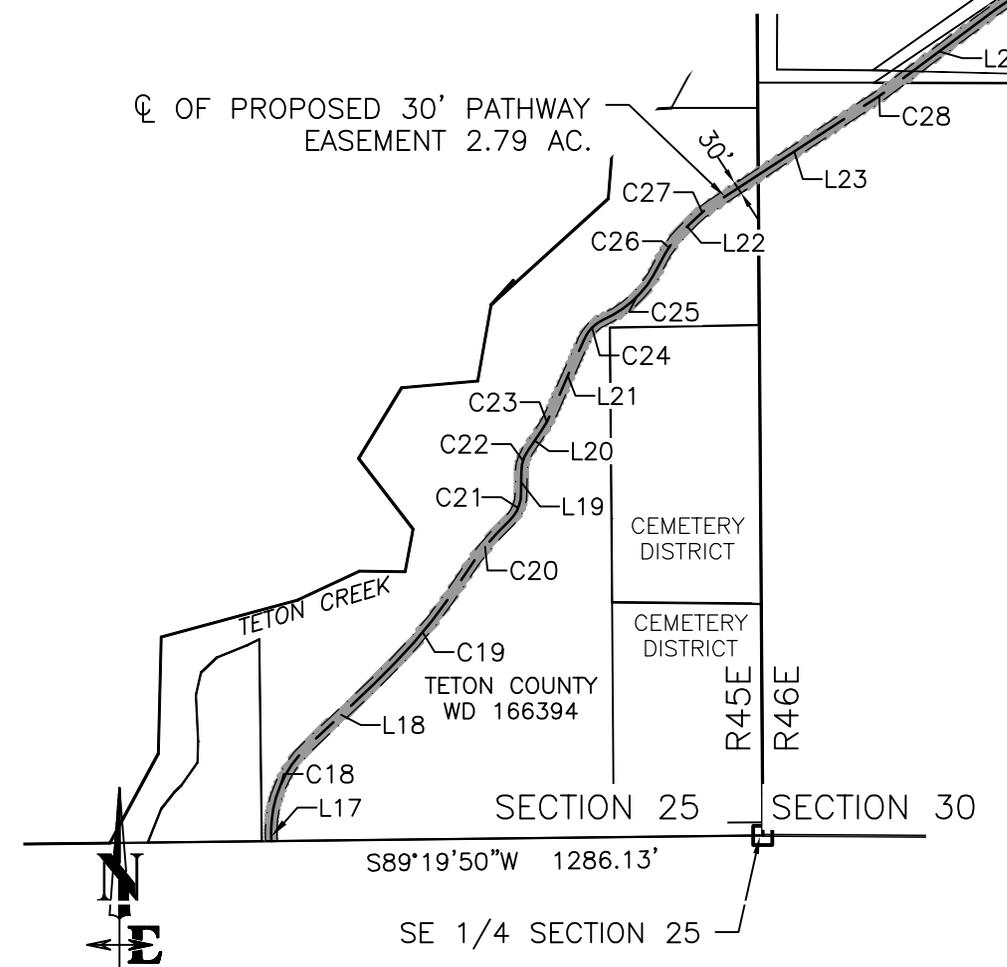
A PATHWAY EASEMENT
FROM TETON COUNTY, IDAHO
TO TETON REGIONAL LAND TRUST

EASEMENT CURVE DATA

CURVE #	LENGTH	RADIUS	DELTA	CHORD BRNG	CHORD LENGTH
C18	248.60	300.00	47°28'42"	N23°04'12"E	241.54
C19	364.59	1500.00	13°55'35"	N39°50'45"E	363.70
C20	186.55	790.00	13°31'47"	N39°38'51"E	186.12
C21	80.83	100.00	46°18'46"	N23°15'21"E	78.65
C22	59.80	100.00	34°15'48"	N17°13'53"E	58.91
C23	53.33	300.00	10°11'07"	N29°16'13"E	53.26
C24	73.12	100.00	41°53'42"	N45°07'31"E	71.50
C25	207.18	288.24	41°10'59"	N45°28'52"E	202.75
C26	104.57	300.00	19°58'18"	N34°52'32"E	104.04
C27	63.58	300.00	12°08'35"	N50°55'59"E	63.46
C28	18.69	300.00	3°34'11"	N55°13'11"E	18.69
C29	68.70	300.00	13°07'17"	N59°59'44"E	68.55
C30	150.14	200.00	43°00'40"	N45°03'02"E	146.64
C31	35.75	200.00	10°14'35"	N28°39'59"E	35.71
C32	276.89	600.00	26°26'26"	N47°00'30"E	274.43



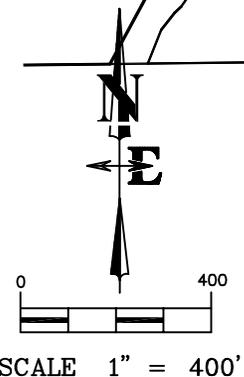
☉ OF PROPOSED 30' PATHWAY
EASEMENT 2.79 AC.



EASEMENT LINE DATA

LINE #	LENGTH	DIRECTION
L17	23.34	N0°40'09"W
L18	242.62	N46°48'33"E
L19	54.49	N0°05'58"E
L20	62.46	N34°21'47"E
L21	210.56	N24°10'40"E
L22	43.10	N44°51'41"E
L23	512.31	N57°00'16"E
L24	372.59	N53°26'05"E
L25	136.86	N66°33'22"E
L26	145.91	N23°32'42"E
L27	216.08	N33°47'17"E
L28	31.52	N61°10'39"E

Part of the
SE 1/4, SEC. 25, T5N, R45E,
and the
NW 1/4, SEC. 30, T5N, R46E,
TETON COUNTY, IDAHO



DRAWING NO 1	DRAWING TITLE TETON VALLEY TRAILS & PATHWAY	NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	DATE 10/24/16
JOB NO 15-017-03	THRU TETON COUNTY PROPERTY		ENGINEERED SK
			DRAWN SK
			CHECKED LR
			APPROVED LR

EXHIBIT A

**DESCRIPTION FOR
A PATHWAY EASEMENT
FROM TETON REGIONAL LAND TRUST
TO TETON COUNTY, IDAHO**

A 30-foot wide pathway easement located in the N ½ of Section 30, and the SE ¼ SE ¼ of Section 19, Township 5 North, Range 46 East, B.M., Teton County, Idaho, said easement also being a portion of Parcel 1 and Parcel 2 of that Record of Survey titled "Record of Survey boundary Adjustment", Instrument #236071, records of Teton County, being 15 foot each side of the following described centerline:

Beginning at a Point on the west line of the SE ¼ NW ¼ of Said Section 30, and the west boundary line of said Parcel 1, Record of Survey, which point lies N00°21'22"E, 243.48 feet from the southwest corner of said Parcel 1 and the Center-West 1/16 corner of said Section 30.

Thence N77°10'56"E, 111.41 feet;

Thence N69°24'35"E, 72.25 feet;

Thence N64°43'10"E, 52.00 feet;

Thence N54°08'49"E, 205.49 feet;

Thence N47°37'08"E, 198.00 feet;

Thence N29°36'12"E, 200.14 feet;

Thence N39°11'22"E, 207.90 feet;

Thence N44°58'27"E, 445.53 feet;

Thence N71°02'01"E, 117.14 feet;

Thence S88°43'32"E, 128.59 feet;

Thence N65°04'43"E, 217.87 feet;

Thence N69°14'49"E, 174.71 feet;

Thence N64°19'38"E, 225.62 feet;

Thence N70°36'17"E, 248.54 feet;

Thence N64°35'04"E, 240.62 feet;

Thence N87°14'23"E, 334.61 feet;

Thence S77°42'33"E, 171.18 feet to a point of a non-tangent curve to the left;

Thence along said curve a radius of 1105.01 feet, a chord distance of 993.24 feet, Bearing N61°47'41"E, through a central angle of 53°24'50", and an arc distance of 1030.14 feet;

Thence N35°11'20"E, 159.10 feet;

Thence N33°36'37"E, 140.91 feet;

Thence N47°14'15"E, 47.34 feet to a non-tangent curve to the left;

Thence along said curve having a radius of 200.00 feet, a chord distance of 96.09 feet, bearing N 33°20'16"E, through a central angle of 27°47'58", an arc distance of 97.04 feet;

Thence N19°26'17"E, 65.24 feet to a non-tangent curve to the left;

Thence along said curve having a radius of 150.00 feet, a chord distance of 50.08 feet, bearing N 09°49'43"E, through a central angle of 19°13'08", an arc distance of 50.31 feet;

Thence N00°13'09"E, 13.02 feet to the southerly boundary of said Section 19;

Thence N00°02'52"E, 73.59 feet to a non-tangent curve to the right;

Thence along said curve having a radius of 150.00 feet, a chord distance of 67.08 feet, bearing N 12°58'07"E, through a central angle of 25°50'31", an arc distance of 67.65 feet to the east line of said Parcel 2, Record of Survey, and the east line of said Section 19;

Said end point being N00°02'52"E, 138.96 feet from the southeast corner of said Section 19;

The side lines of said described easement to be lengthened or shortened to terminate on the described lines.

Said easement contains 3.51 acres, more or less, and is subject to any easements, rights-of-way, reservations or restrictions of sight and/or of record.

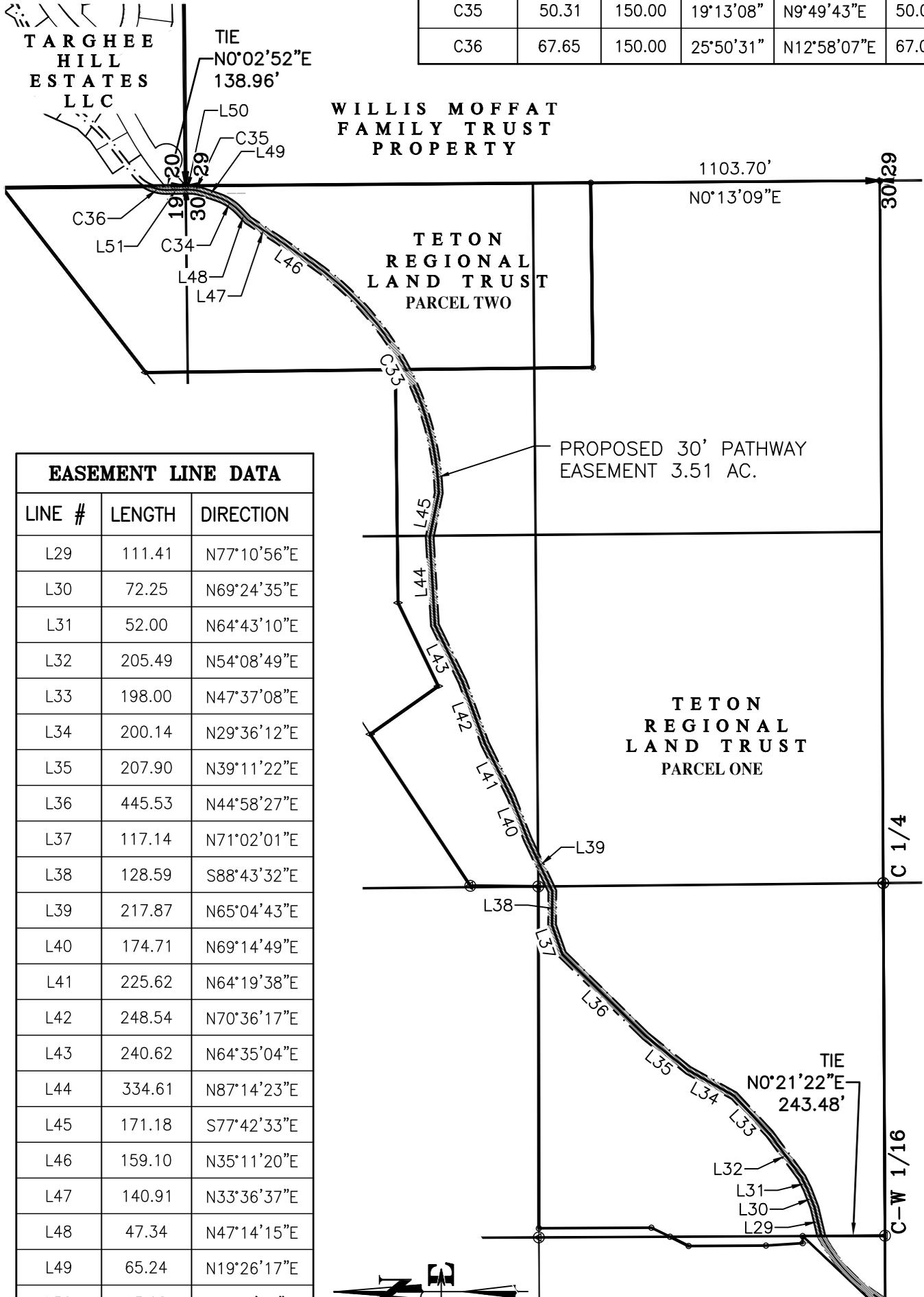
All as shown on Exhibit "B" attached hereto and by this reference made a part hereof.

Lucas D. Rudolph
Idaho PLS 13767
Nelson Engineering
Project 15-017-02
November 3, 2016

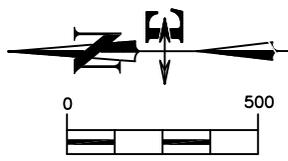
EXHIBIT B

A PATHWAY EASEMENT
FROM TETON REGIONAL LAND TRUST
TO TETON REGIONAL LAND TRUST

EASEMENT CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BRNG	CHORD LENGTH
C33	1030.14	1105.01	53°24'50"	N61°47'41"E	993.24
C34	97.04	200.00	27°47'58"	N33°20'16"E	96.09
C35	50.31	150.00	19°13'08"	N9°49'43"E	50.08
C36	67.65	150.00	25°50'31"	N12°58'07"E	67.08



EASEMENT LINE DATA		
LINE #	LENGTH	DIRECTION
L29	111.41	N77°10'56"E
L30	72.25	N69°24'35"E
L31	52.00	N64°43'10"E
L32	205.49	N54°08'49"E
L33	198.00	N47°37'08"E
L34	200.14	N29°36'12"E
L35	207.90	N39°11'22"E
L36	445.53	N44°58'27"E
L37	117.14	N71°02'01"E
L38	128.59	S88°43'32"E
L39	217.87	N65°04'43"E
L40	174.71	N69°14'49"E
L41	225.62	N64°19'38"E
L42	248.54	N70°36'17"E
L43	240.62	N64°35'04"E
L44	334.61	N87°14'23"E
L45	171.18	S77°42'33"E
L46	159.10	N35°11'20"E
L47	140.91	N33°36'37"E
L48	47.34	N47°14'15"E
L49	65.24	N19°26'17"E
L50	13.02	N0°13'09"E
L51	73.59	N0°02'52"E



LOCATED IN THE
N 1/2, SECTION 30,
AND THE SE 1/4 SE 1/4, SECTION 19
T5N, R46E, B.M.,
TETON COUNTY IDAHO

DRAWING NO 1	DRAWING TITLE TETON VALLEY TRAILS & PATHWAY	NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	DATE 11/03/16
JOB NO 15-017-03	PATHWAY EASEMENT THRU TETON REGIONAL LAND TRUST		ENGINEERED SK
			CHECKED LR
			APPROVED LR



WK: 208-354-0245
djohnson@co.teton.id.us

Public Works Department
MEMORANDUM

150 Courthouse Drive
Driggs, ID 83422

DATE: November 4, 2016

TO: Board of County Commissioners

FROM: Teton County Public Works Director – Darryl Johnson, PE, PLS

SUBJECT: **Victor Gravel Pit Reclamation Plan No. S02359**

Teton County sold the Victor gravel pit located at E6000S and SH33 to Mr. Josh Thulin in 2008. Since that time, the County, Mr. Thulin and the Idaho Department of Lands (IDL) have been wrestling with the gravel pit reclamation. A reclamation plan for this site was submitted by then Road & Bridge Supervisor, Ralph Egbert (reclamation plan attached) in 2000. This issue has a history that dates back to the sale of the property but, in brief, the Idaho Department of Lands is holding the County responsible for the pit reclamation because the reclamation permit is in Teton County's name. Recently, Mr. Thulin contacted the IDL inquiring on the status of the reclamation work. The IDL since has met with both parties and given the County until spring of 2017 to provide a plan for reclamation or they will turn the matter over to the Attorney General (letter attached). In the past, Mr. Thulin has not allowed the County on site to finish the reclamation efforts. Mr. Thulin would be interested in taking responsibility of the reclamation plan if the County were to modify the plan so that it worked with his vision to develop this site for light industrial use. Public Work's preference would be to reclaim the pit per the original plan in 2017 as opposed to tying this to any development or rezone efforts.

The County met with the Idaho Department of Lands (IDL) and Mr. Thulin on site on Friday, October 28 to discuss what is required to satisfy the conditions listed in reclamation plan no. S02359 and who is responsible for the reclamation. The IDL is claiming that the reclamation plan is currently in Teton County's name so the County is responsible for the site reclamation unless the plan is modified and a new entity accepts responsibility for the reclamation. Attached is a letter from the IDL summarizing the reclamation and who is responsible.

With the help of the IDL, the County may have access to material suitable for reclamation. A significant amount of material was removed as part of the Badger Creek Bridge project currently underway by the State on SH32. This material appears to have the ability to sustain growth and is acceptable to the IDL. The state also owns a pit adjacent to the Victor gravel pit and is willing to allow the material to be stockpiled on their pit property if the County were interested. The contractor needs to remove the material from the state's Felt pit and seemed willing to relocate it to the Victor pit as part of their contract. If that were the case, the County would be able to secure material necessary for the site reclamation for a minimal fee. Although the plan is fairly straightforward, it is going to cost a significant amount of money to shape and plant the site. The state would be willing to stockpile the material at either site over the winter but needs a commitment from the County soon if interested.

If the Commissioners agree that the Count is currently responsible for the site reclamation, It is the Public Works recommendation to work with the IDL and reclaim this site per the original plan. Another option that the landowner, Mr. Thulin, has suggested is that the plan be modified

to align with his sight development vision which would require a zone change or conditional use permit. If the County were to agree to work with Mr. Thulin, the reclamation plan could be modified through IDL approval and Mr. Thulin would be responsible for the site reclamation. The down side to this alternative option is that it will likely take in excess of one year for approval and it is doubtful that Mr. Thulin would accept responsibility for the site reclamation prior to approval through the Planning Department.

Mr. Thulin will not allow the County on site prior to a written agreement being signed between him and the County. Since the original reclamation plan cannot be modified without permission from the IDL, that agreement should simply identify details of work being performed on site.

Public Works is looking for direction in this matter. If we wish to take advantage of the ITD material available, the County must commit to removing the material from their pit. If this matter cannot be resolved, the IDL will reclaim at the County's expense. Per the attached letter, if the County cannot come to an agreement with Mr. Thulin, the matter will need to be resolved in court.

EASTERN SUPERVISORY AREA

Idaho Falls Office
3563 Ririe Highway
Idaho Falls, ID 83401
Phone (208) 525-7167
Fax (208) 525-7011
gbillman@idl.idaho.gov



STATE BOARD OF LAND COMMISSIONERS

C. L. "Butch" Otter, Governor
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

October 31, 2016

Darryl Johnson
Teton County Road and Bridge
70 W. Buxton
Victor, ID 83442

Josh Thulin
3200 W. Mallard Rd
Jackson, WY 83001

Dear Mr. Johnson and Thulin:

Thank you for taking the time on Friday October 28, 2016 to meet with me at the "Thulin or Victor Pit" for reclamation plan S02359. I know both of you had busy schedules, and I appreciate your willingness to discuss the concern over this property and hopefully a path forward on the reclamation.

I wanted to recap what was discussed on site between the Idaho Department of Lands (IDL), Darryl Johnson of Teton County (County), and Josh Thulin landowner. Although there was talk between Mr. Thulin and Mr. Johnson about subjects that IDL has no jurisdiction over, this letter will focus solely on reclamation of the pit.

We discussed how the County is responsible for the complete reclamation of plan S02359; because they are the one whose name is on as the owner of this plan. We discussed how it has now been seven (7) years since the selling of this pit to Mr. Thulin, which makes it seven (7) years since the County has been in the pit and it has been active. It has been five (5) years since the last inspection/letter from IDL to the County and Mr. Thulin.

As per Idaho statute § 47-1511 – Reclamation Activities –Time Limitations. (a) All reclamation activities required to be conducted under this act shall be performed in a good and workmanlike manner, with all reasonable diligence, and as to a given exploration drill hole, road or trench, within one (1) year after abandonment thereof.

And § 47-1511(b) -.....It shall be presumed that the operator has permanently ceased surface mining operations as to a given affected land if no substantial amount of overburden has been placed on the overburden pile in question or if no minerals have been removed from the pit in question, as the case may be, for a period of three (3) years.

"Trusted Stewards of Idaho's Resources, From Main Street to Mountaintop"

Mr. Thulin had materials imported, from a landslide that was hauled in from the Wyoming Department of Transportation, and used to slope a portion of the east pit wall (orange oval on photo 1).

Mr. Thulin informed Mr. Johnson of some stock piled materials that are not to be used as part of the reclamation. However, Mr. Thulin mentioned that there was native gravel on the southern wall that could be pushed and used for reclamation, as well as some piles along the southeast portion of the pit.

Both Mr. Thulin and Mr. Johnson agreed that there was some material on the western end of the pit that could be pushed and used for reclamation, though some trees may need to be moved.

Mr. Johnson stated he would need to bring this before the County Commissioners and inform them of what needs to be done. Mr. Thulin said he would allow the county to enter the property to perform reclamation activities.

IDL informed Mr. Johnson that the Idaho Department of Transportation (ITD) had some topsoil that would be enough for the growth media that they are willing to provide to the County, but the County would need to contact ITD as soon as possible if they want the soil. It would be between ITD and the County on the matter of hauling it to the pit. Mr. Johnson said the County could probably haul it to the pit.

According to the County's reclamation plan the following will occur onsite for reclaiming the site:

- Pit walls will be sloped to a 2H:1V with topsoil cover to promote regrowth of native and drought resistant varieties of grasses seeded in fall or early spring. Topsoil is stripped from area and placed in berms and will be used for cover. (However the County sold or removed most of the topsoil from the site).
- Outside ground surfaces graded to direct runoff within pit area, lower floor surfaces can serve as catch basins
- West side will be back filled as to obtain desired slope and set back from St Hwy 33 Prop.

While onsite IDL, Mr. Johnson and Mr. Thulin discussed what was needed to reclaim the pit as per the County's reclamation plan. The following is what was identified as needing reclamation (see photo documentation):

The southeast section of the pit needs to be sloped to a 2H:1V, a minimum of six-inches (6") of topsoil placed, and reseeded with a landowner approved seed mix (red markings on photo 1 and 2)

The mid-south and northeast corner of the pit needs to have a minimum of six-inches (6") of topsoil placed and reseeded with an approved seed mix (green markings on photo 1).

The north wall of the pit needs to be sloped to a 2H:1V, a minimum of six-inches (6") of topsoil placed, and reseeded with an approved seed mix (red markings photo 1).

The southern wall has some material that can be used for reclamation, and needs to be sloped to a 2H:1V (some material needs to be pushed up the wall to fix the ITD boundary), a minimum of six-inches (6") of topsoil placed, and reseeded with an approved seed mix (red markings photo 2).

The western wall needs to be surveyed to verify that it has the required set back as per the reclamation plan and County/ITD requirements for setbacks. The west wall needs to be sloped to a 2H:1V, a minimum of six-inches (6") of topsoil placed, and reseeded with an approved seed mix (red markings on photo 2). If more material is needed for proper setback that material will need to be imported by the County.

The roads leading into and within the pit and the bottom of the pit can be left as is, as requested by Mr. Thulin.

As I mentioned onsite, this has been a matter between Mr. Thulin and the County, but it has now become a matter with the IDL because the site has not been reclaimed since the last letter dated June 27, 2011. For this reason IDL requested the meeting, in hopes that some kind of agreement between Mr. Thulin and the County could be made.

The final portion of the meeting was the discussion of a timeline for the understanding of reclamation needs from the County. It was discussed and agreed that the County would have until spring of 2017; IDL is setting a date of April 3, 2017 for the County and Mr. Thulin to have some kind of understanding on the reclamation to be completed. IDL is requiring that we be notified of said understanding.

As also discussed during our meeting, if by spring (April 3, 2017) an understanding has not been reached, IDL will move forward on the reclamation and will hold the County responsible for reimbursing IDL for any funds used to reclaim the site. It is in Mr. Thulin's best interest to allow the County access to reclaim this pit. Should Mr. Thulin not allow access, it will be between him and the County in court.

IDL hopes that it does not come to this and views this meeting as a possible step forward in the reclamation of plan S02359. We look forwarding hearing from the County in regards to a plan and path forward to reclaiming this pit.

Darryl Johnson/Josh Thulin
October 31, 2016
Page 4

Should you have any questions, or concerns, regarding this inspection please contact me
(208) 525-7167.

Sincerely,

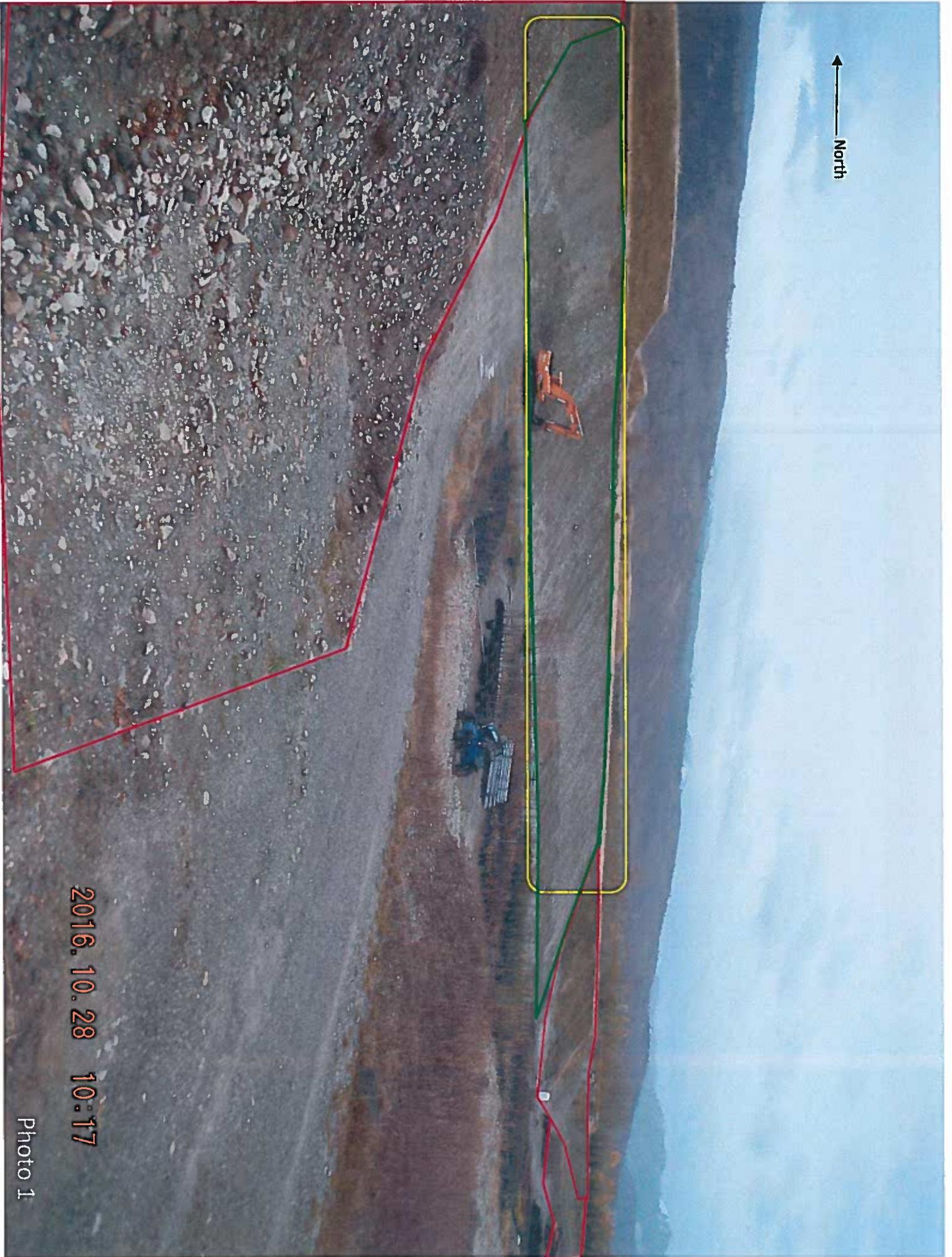


Gary Billman
Senior Resource Specialist-Minerals

Cc: Bureau, file
Heath Hancock – Eastern Area Supervisor
Pat Brown – Eastern Area Manager

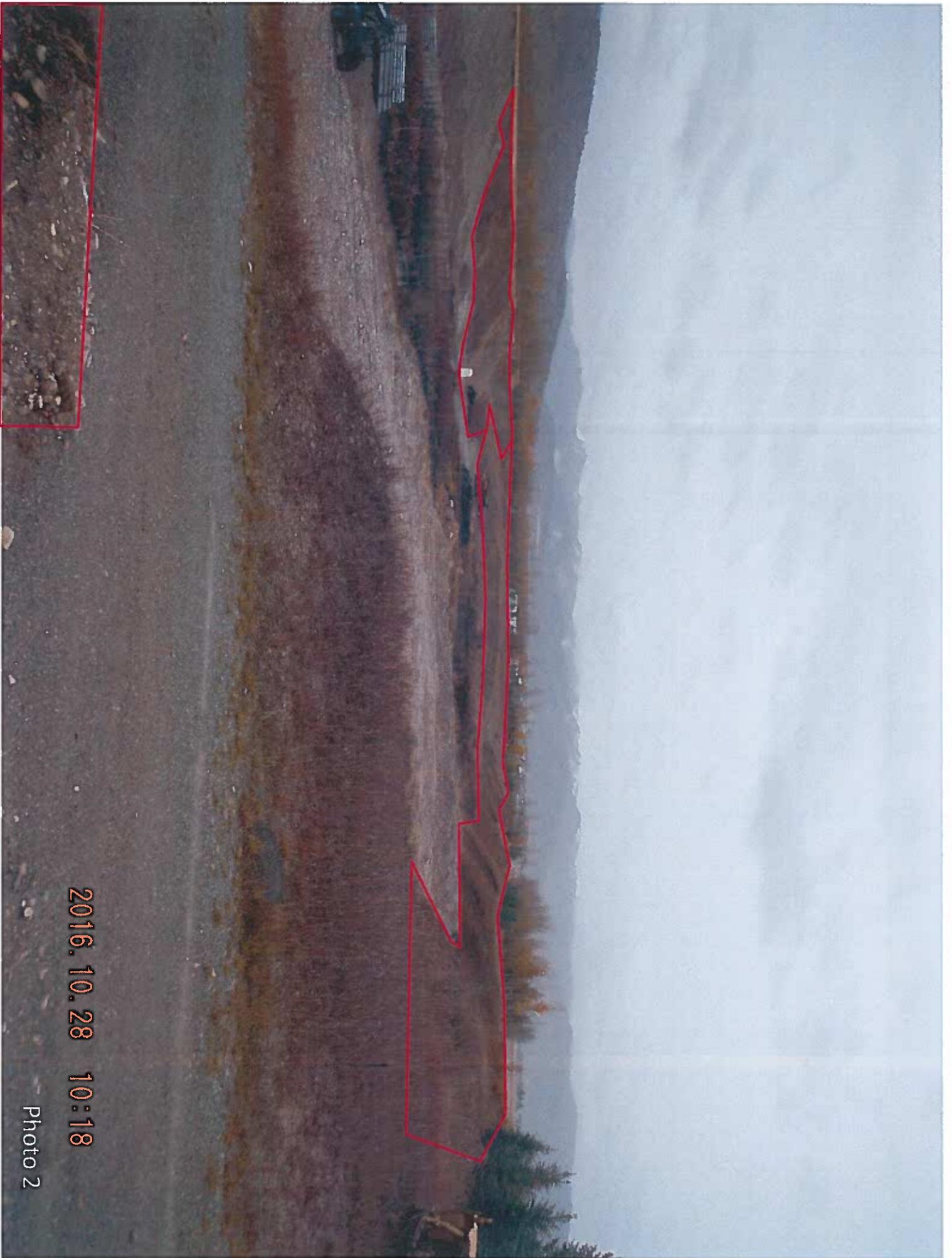
Enclosure: 2 photos of reclamation plan S02359, June 27, 2011 letter, May 11, 2011 inspection report

North



2016. 10. 28 10:17

Photo 1



2016. 10. 28 10:18

Photo 2

**EASTERN IDAHO SUPERVISORY
AREA**

3563 Ririe Highway
Idaho Falls, ID 83401
Phone (208) 525-7167
Fax (208) 525-7011
gbillman@idl.idaho.gov



GEORGE B. BACON, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

**STATE BOARD OF LAND
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Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney
General

Donna M. Jones, State Controller
Tom Luna, Sup't of Public Instruction

June 27, 2011

Josh Thulin
3200 W. Malard Rd.
Jackson, WY 83001

COPY

Dear Josh,

You requested to have a letter from IDL stating our position on your pit. IDL's position regarding your pit is we do not consider this an active gravel pit at this time. This pit, as the inspection noted, has not had any gravel extraction activity in it for three + years. It was noted during the inspection that you stated material was imported, at your request, from WDOT to have Teton County slope the walls of the pit. The County pushed material up on to the northeast corner at which point you stopped them because, as you mentioned, you did not trust them to complete the reclamation. You have also imported and moved material around in the pit to modify access and accommodate for your future plans with this location.

The issue with this pit has been lingering on for the last three years and IDL is now preparing to move forward with legal action regarding the reclamation of this pit. IDL will not accept or approve another reclamation plan for this pit until the original reclamation plan has been completed, vegetation is established, and the pit is stable; or you request to have the reclamation plan transferred into your name.

An alternative to proceeding to legal action would be that you and Teton County agree to have the county reclaim a portion of the pit and you accept remaining responsibility, through a transfer, of the reclamation plan that currently exists.

Should you have any questions regarding this issue, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Billman".

Gary Billman
Resource Specialist-Minerals
GB/gb

Type CC: Bureau/File

Bureau
AS
Operator
USFS/BLM

STATE OF IDAHO
DEPARTMENT OF LANDS
REGULATORY INSPECTION REPORT



PLAN/PERMIT NO. 2359

INSPECTION DATE: 5/11/2011

AREA OFFICE: Eastern

COPY

1) GENERAL INFORMATION

Ownership: Private Location: NWSE Sec. 35 Twp. 4N Rge. 45E B.M.
Claimant/Owner: Josh Thulin Phone: (208) 787-9658
Address: 3200 W. Malard Rd, Jackson, WY 83001
Operator: Teton County Phone: (208) 354-2932
Address: 70 West N. Buxton, Driggs, ID 83442
Contacted: Yes Present on Inspection: Yes

2) ACTIVITY LEVEL

Surface/Placer Exploration	<input type="checkbox"/>	Surface/Placer Mining	<input checked="" type="checkbox"/>
Planning	<input type="checkbox"/>	Reclamation	<input checked="" type="checkbox"/>
Development	<input type="checkbox"/>	Semi-abandoned/inactive	<input checked="" type="checkbox"/>

3) SITE DESCRIPTION

Topography and Vegetation: Alluvial river bottom of the Teton Valley.

Size and Number of Pits, Trenches, Adits, Ponds and Buildings: Single pit approximately 8 acres in size.

Relationship and distance to natural watercourses: 0.25 mile from intermittent stream.

Acres Disturbed: 8 Acres Bonded: County
Acres Partly Reclaimed: 0.5 to 1 Acres Reclaimed: 1 to 1.5

4) COMPLIANCE ISSUES

Compliance with Plan/Permit and Rules:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
BMP's Reviewed: Adequate, Properly Maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Compliance with Other Permits?	<input type="checkbox"/> Unknown	<input type="checkbox"/>

5) Action Required by Bureau of Minerals?

Yes No

Action Required: Re-inspection of pit after pit has been reclaimed.

6) **REMARKS:**

Material that was brought in by Mr. Thulin and WDOT was spread along the northeastern edge of pit and sloped. The west slopes have active vegetation and are stable. The slopes are 1:1 to 2:1. Imported material by Mr. Thulin was spread on a portion along the western end of the pit floor. There was a cabin on planks, a screen, single wide trailer and an excavator in or on the edge of the pit. The southeastern corner of pit was disturbed to provide an additional road access. The site appears to be about the same as it appeared in the 2009 inspection, with an increase in the vegetation on sloped walls.

RECOMMENDATIONS:

Slope south walls to a 2:1 slope; spread remaining piles of material along the west side of pit, top soil walls and pit bottom and seed and allow vegetation to establish.



Gary Billman
INSPECTOR



Active vegetation on slopes.
Slopes are stable.

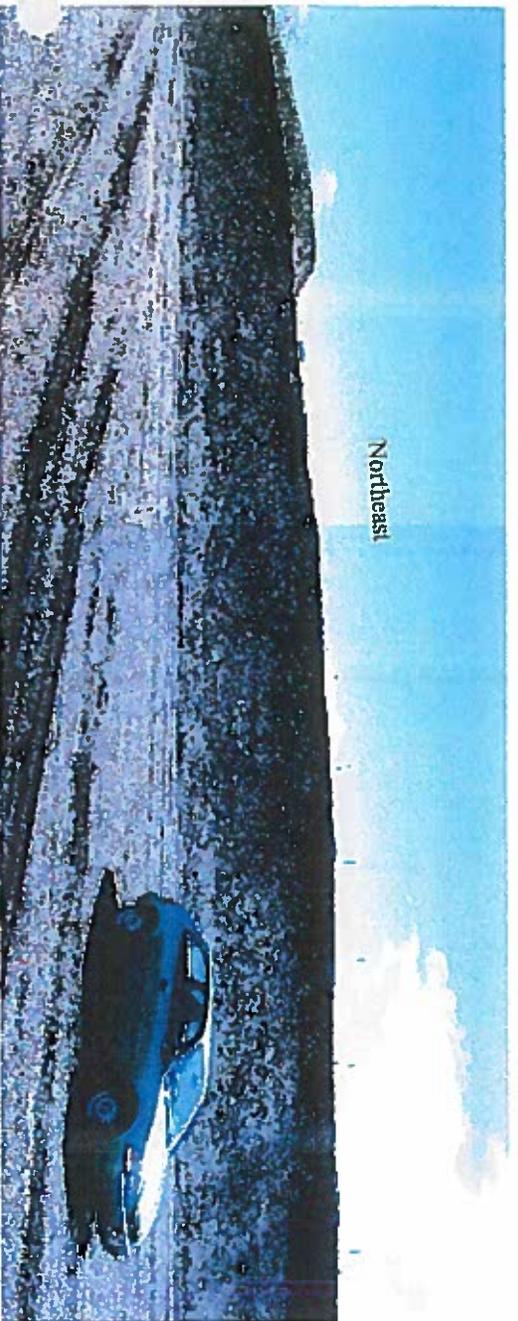
Sloped, needs top
soil and seeding.

Needs reclaimed to 2:1 or
shallower slopes

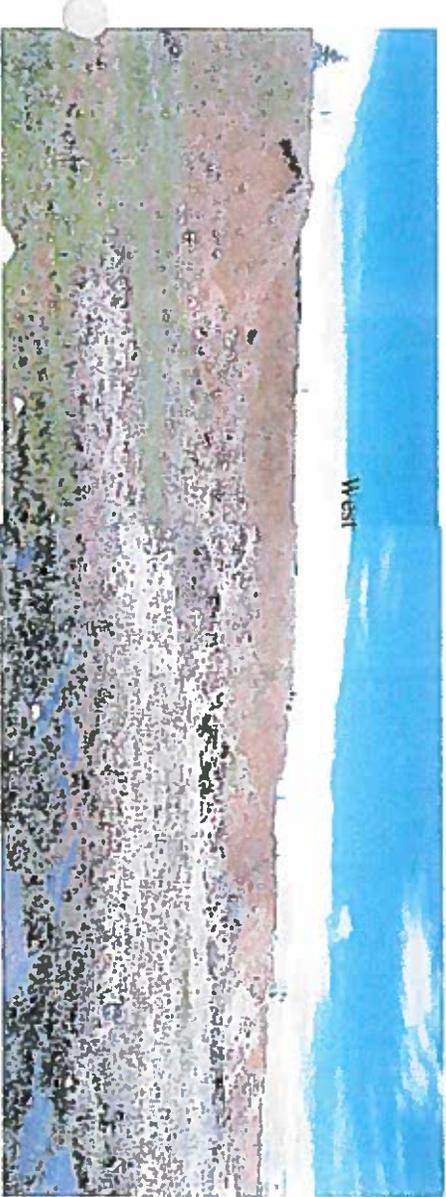
Northern view of pit



Southern view of pit



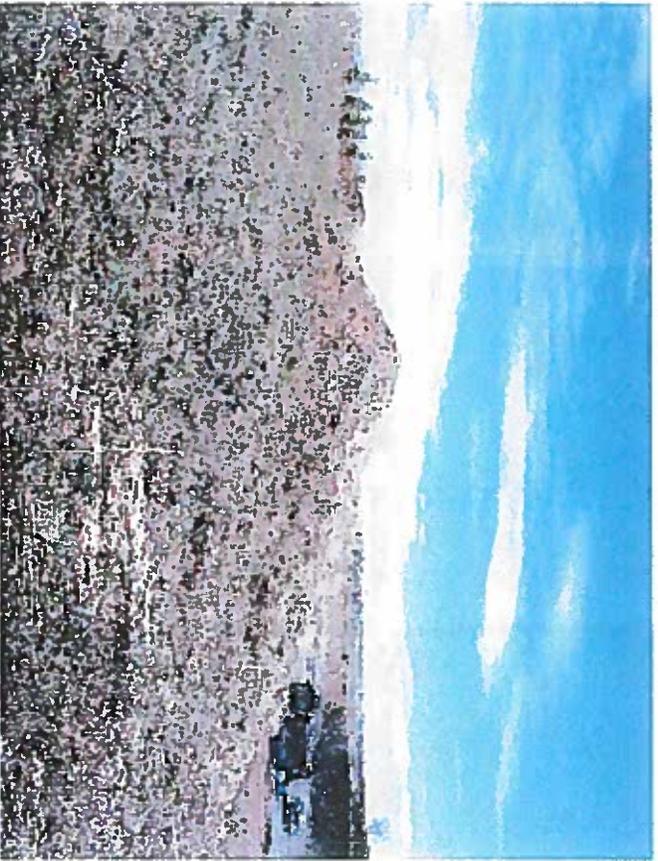
Imported material that was sloped by Teton County along the northeast corner of pit.



West walls where there is active vegetation along stable slopes.



Top soil stock pile on the south edge of pit

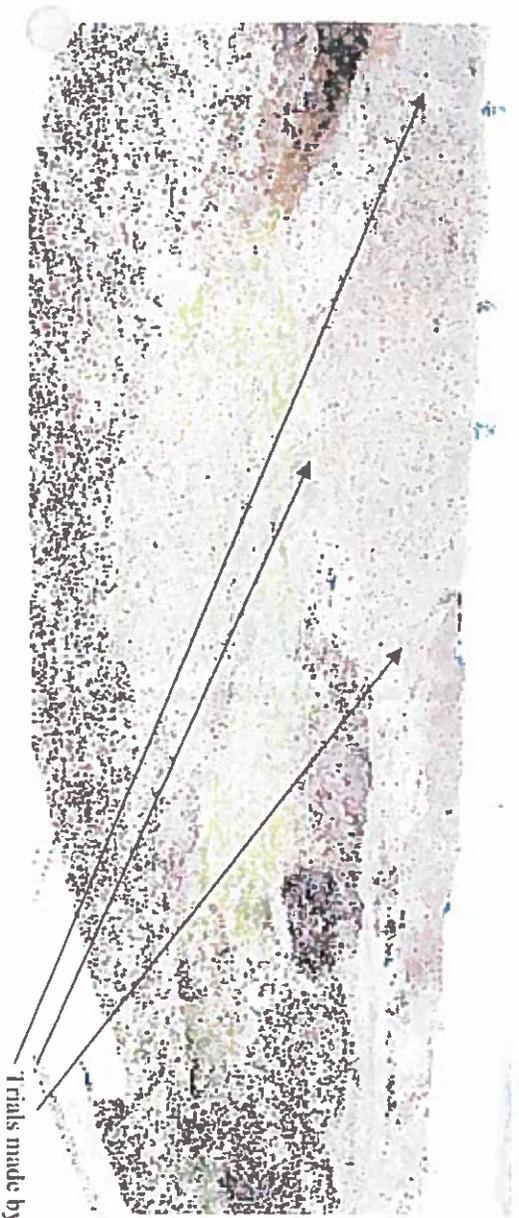


Top soil stock pile on the southwest edge of pit



Top soil stock pile on the west edge of pit

Trails made by off road vehicle traffic.



DEPT. OF LANDS
01 APR -4 20 0:42
BOISE, IDAHO



IDAHO DEPARTMENT OF LANDS
854 W. Jefferson Street
Boise, Idaho 83720
Telephone: (208) 334-0261

COPY

APPLICATION FOR RECLAMATION PLAN APPROVAL

GENERAL INFORMATION

The Idaho Surface Mining Act, Idaho Code title 47, chapter 15, requires an operator of a surface mining operation to obtain an approved reclamation plan and bond. There is no fee required.

When an applicant is mining on lands administered by the U.S. Forest Service or Bureau of Land Management, it is necessary to obtain the proper federal approvals in addition to the Department of Lands. Each agency's application requirements are similar, but not exactly the same. Please review both state and federal application requirements, and develop one plan which meets the requirements of the agency(ies) involved.

After the mine plan has been finalized, five (5) copies of this application must be submitted to the Idaho Department of Lands, Bureau of Minerals, at the above address. When the department receives an application, the appropriate federal agency will be notified of said application, and it will be reviewed for completeness within seven (7) days.

All reclamation plan applications will be processed in accordance with Section 70 of the Administrative Rules Governing Exploration and Surface Mining Operations in Idaho and applicable Memorandums of Understanding with state and federal agencies.

APPLICATION INFORMATION

1. NAME TETON County data Road dept
2. ADDRESS 89 N Main Suite 1 3. Telephone 354-2932
4. CLAIM NAME(S) Victor Pit 1
5. CLAIM OWNER(S) TETON County
6. DESIGNATED IN-STATE AGENT AND ADDRESS: _____
7. LEGAL DESCRIPTION TO THE QUARTER-QUARTER SECTION: NW of SE sec 35 TAN R451
8. ACREAGE 16.5 9. County(ies) TETON (Include map outlined on page 2)
10. OWNERSHIP: Private, U.S. Forest Service, Bureau of Land Management or Idaho Department of Lands. (circle one)
11. COMMODITY TYPE, DURATION OF OPERATION, PROPOSED START-UP DATE pit run & general
processed finish gravel in use

(over)

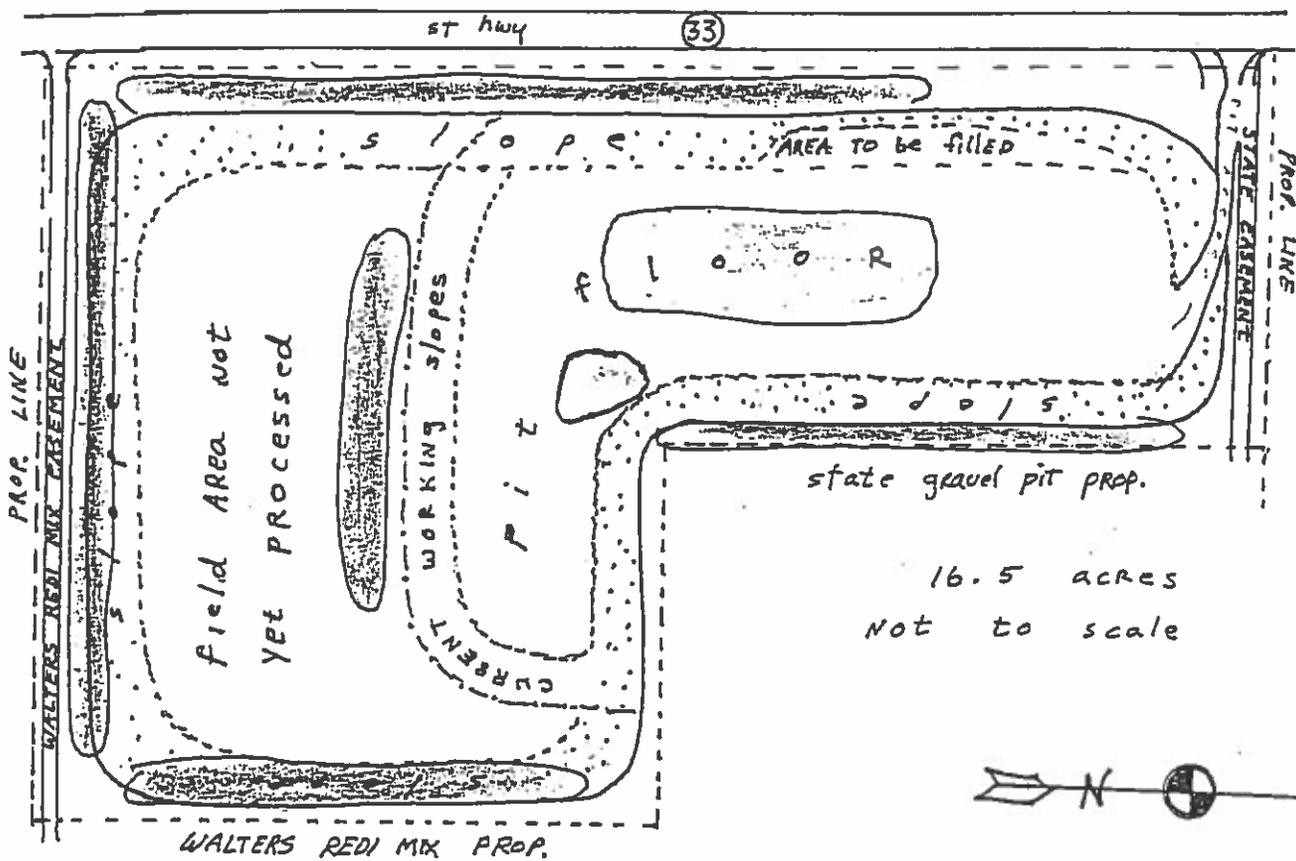
12. Please provide the following maps of your mining operation (Section 070.03):
- a. A vicinity map prepared on a standard USGS 7.5' quadrangle map or equivalent.
 - b. A site map which adequately shows the location of existing roads, access roads, and main haul roads, which would be constructed or reconstructed for the operation. Also, list the approximate dates for construction, reconstruction and abandonment. (Section 070.03.a)
 - c. On a site location map show the location and names, if known, of all streams, creeks or bodies of water within 1,000 feet of the surface mining operation.
 - d. On a site location map show the approximate boundaries and acreage of the lands that will become affected by the mining operation. This map must be of adequate scale for boundary identification.
 - e. On a site location map show the approximate boundaries and acreage of the lands that will become affected by the mining operations during the first year of operations.
 - f. On a site location map show the planned location of all tailings ponds and ancillary structures associated with the mining operation.
 - g. On a site location map show the planned configuration of all pits, mineral stockpiles and overburden piles which will be developed by the mining operation.
 - h. Develop a surface and mineral control or ownership map of appropriate scale for boundary identification.
 - i. Develop scaled cross-sections of the mine showing surface profiles prior to mining at maximum disturbance and after reclamation.
13. A reclamation plan must be developed and submitted in map and narrative form (Section 070.04). The reclamation plan must include the following information:
- a. On a drainage control map show and list the best management practices which will be utilized to control erosion on or from the affected lands
 - b. On a site map show which roads will be reclaimed, the approximate dates for reclamation, and describe the reclamation to be accomplished.
 - c. Develop a revegetation plan which identifies how topsoil or other growth medium will be salvaged, stored and replaced in order to properly revegetate the area, identify the type of soil to be replaced, the slope of the reclaimed areas, and precipitation rates. Based on this information, identify the seed species, the seeding rates, the time and method of planting the soil, and fertilizer and mulch requirements.
 - d. Describe and show how tailings or sediment ponds will be reclaimed.
 - e. Estimate the actual cost of reclamation which includes the cost for equipment mobilization, regrading, seed, fertilizer, mulch, labor and any other pertinent costs.

APPLICANT SIGNATURE:

DATE 10-30-00

PROPOSED pit Reclamation plan "Victor Pit" 650 S 45 W

- 2:1 slopes w/ Topsoil COVER to promote regrowth of NATIVE & drought resistant varieties of grasses seeded in fall or early spring. Top soil is stripped from area & placed in berms and will be used for c
- outside ground surfaces graded to direct runoff within pit area, low floor surfaces can serve as catch basins
- west side will be back filled as to obtain desired slope, and set bac from st hwy prop.



16.5 acres
Not to scale



35 T 4 N R 45 E

TETON COUNTY IDAHO



North end u w

Topsoil berms and on
Piles
Variable Product
Stock piles



FROM: Kristin Owen, Planning Administrator
TO: Board of County Commissioners
RE: Planning Department Update
MEETING: November 14, 2016

The following items are for your review and discussion.

Nutrient Pathogen Waiver for Ross Meadow Subdivision: This item was continued from the October 24, 2016 meeting.

Cleon Ross has applied for a 2-lot subdivision. This property is located in the Wetlands and Waterways Overlay, which requires a Nutrient Pathogen Evaluation to be conducted for the Preliminary Phase of a subdivision application. See Attachments 1 and 2 for Nutrient Pathogen Waiver Request from AW Engineering.

Title 9 identifies a waiver process for the Nutrient Pathogen Evaluation if the study is not required by IDEQ or Eastern Idaho Public Health. For this application, neither IDEQ nor EIPH require a Nutrient Pathogen Evaluation, which makes this application eligible for the waiver.

The Board of County Commissioners may approve a Nutrient Pathogen Evaluation Waiver after they receive a recommendation from the Planning & Zoning Commission.

Comments to Consider

This waiver request was sent to the Teton County Technical Reviewer for NP Studies, Jen Zung, and it was sent to Flint Hall with Idaho Department of Environmental Quality. I did not send it to Mike Dronen with Eastern Idaho Public Health because Mike has told me multiple times that EIPH does not require NP Studies. They only refer to IDEQ.

The Teton County Technical Reviewer stated she would not recommend granting a waiver unless the applicant can show that Trail Creek is not hydraulically connected to any shallow or perched groundwater that could be contaminated by the proposed leach fields.

Mr. Hall, IDEQ, suggests that the developer be requested to collect ground water samples for total nitrite plus nitrate from the nearest domestic wells up gradient and down gradient from the proposed subdivision to provide a basis for the assumption that there will be no impact.

The applicant has commented that they would be willing to use advanced septic systems on the property.

Planning & Zoning Commission Recommendation

I move to recommend the Nutrient Pathogen Evaluation Waiver Request for Ross Meadow Subdivision to the Board of County Commissioners for approval, with the following condition(s):

1. The applicant must collect ground water samples for total nitrite plus nitrate from the nearest domestic wells up gradient and down gradient from the proposed subdivision to provide a basis for the assumption that there will be no impact.
2. The applicant must use advanced septic systems.
3. The applicant must set building envelopes away from Trail Creek.

ACTION ITEM: Motion to approve or deny the Nutrient Pathogen Waiver for Ross Meadow Subdivision.

Nutrient Pathogen Waiver for Nelson Subdivision

Valoie Nelson, represented by Pierson Land Works, has applied for Preliminary Plat approval for a 2-lot subdivision. Fox Creek crosses this property, which is considered part of the Wetlands and Waterways Overlay. This Overlay requires a Nutrient Pathogen Evaluation to be conducted for the Preliminary Phase of a subdivision application.

Title 9 identifies a waiver process for the Nutrient Pathogen Evaluation if the study is not required by IDEQ or Eastern Idaho Public Health. For this application, neither IDEQ nor EIPH require a Nutrient Pathogen Evaluation, which makes this application eligible for the waiver.

The Board of County Commissioners may approve a Nutrient Pathogen Evaluation Waiver after they receive a recommendation from the Planning & Zoning Commission.

Comments to Consider

After speaking with Mike Dronen, Eastern Idaho Public Health does not require Nutrient Pathogen Evaluations.

After speaking with William Teuscher, P.E., the Idaho Department of Environment Quality could require Nutrient Pathogen Evaluations. IDEQ has three conditions that require this evaluation:

1. If the system generates more than 2500 GPD of wastewater (Large Soil Absorption System)
2. If the system falls within one of the State's designated Nitrate Priority Areas. (The only place this may occur in Teton County is on the very north boundary of the county near Bitch Creek.)
3. If the system is over a designated "Sensitive Resource Water", which do not exist in Teton County.

Title 9 identifies Nutrient Pathogen Evaluations for proposed developments. Although Nelson Subdivision is a proposed development, both of the proposed lots have an existing home and septic system in place. New development is not being proposed. However, additional development could take place in the future that may impact water quality, such as adding accessory dwelling units, replacing the existing homes, etc.

Planning & Zoning Commission Recommendation

I move to recommend the Nutrient Pathogen Evaluation Waiver Request for Nelson Subdivision to the Board of County Commissioners for approval, with the following condition:

1. A section in the Development Agreement for Nelson Subdivision will be added that says the Nutrient Pathogen Evaluation will be required if a building permit requires additional septic capacity.

<i>ACTION ITEM: Motion to approve or deny the Nutrient Pathogen Waiver for Nelson Subdivision.</i>

Code Enforcement Update

- BYU-I submitted a letter in response to their code enforcement letter (attached).
- A letter was sent to Oliver Riehl about his code violations (attached).

County Codes Update

- I am still working on creating a new code enforcement process. This will become an amendment to Title 1 of the County Code. I am hoping to have a draft ready in the next week for review, in which case it could potentially go before the Board for adoption in December.
- In preparation for the Eclipse in August 2017, I am planning to propose an amendment to Title 8-6-3, Temporary Uses. The amendment will propose to replace the existing Temporary Use section with the Draft Code's Temporary Use section. This will have to go to the Planning Commission for a recommendation, then it will come to the Board.

- Draft Code Redline – Sharon reached out to a few people that could work on the Redline version. One of them was interested and available, so I plan to contact her this week.

Senior Planner Position

The position was offered and declined. I have offered it to another candidate, and I am waiting for a response.

Attachments

1. Ross Meadow NP Waiver Request
2. Nelson NP Waiver Request
3. BYU-I Letter
4. Oliver Riehl Letter

ROSS MEADOWS SUBDIVISION

Request for NP Study Waiver

Part of the E ½SW ¼ Sec 13, Twp. 3 N, R 45 E, B.M.
Teton County, ID.

Prepared for:

Cleon Ross
9488 Old Jackson Hwy.
Victor, Teton Co., Idaho 83455

And: 4352 E 116 N, Idaho Falls, Id. 83401

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A W Engineering
Box 139, Victor, Idaho
(208-787-2952

August 1, 2016

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III. PURPOSE OF REPORT

The purpose of this report is to submit information and data to support the request for a waiver to the Teton County Subdivision Ordinance section which would require an NP (Nutrient Pathogen) study on the subject property addressed in this report. The NP study is required by Teton Co. Ordinance Sec 9-3-2 (C-3-C) because it states four conditions requiring the study.

This property has Trail Creek running across the South side near State Hwy 33. Trail creek is a year-around flowing stream and would have a small amount of wetlands adjacent to the water’s edge. The ordinance 9-3-2(C-3-b) requires a study when the proposed development lies wholly or partially within the WW Wetland and Waterways Overlay Area (Sec 8-5-1-D).

The ordinance allows a request for a variance from the NP study when it is not required by DEQ or Eastern Idaho Health Department. They have both been contacted and neither has a policy requiring an NP study for property in this situation. Their policy is to require a NP study when a central sewer system is being proposed.

This report presents the information showing the property location and the data known about the soils and the availability to provide other sewer systems in this area.

IV. PROPERTY DATA AND BACKGROUND

Property Location: An 8.2 acre parcel of lan, owned by Cleon Ross lying in the W½ W½ NE1/4 NW1/4 of Section 13, Twp. 3 N., Rng. 45 E. B.M., Teton County, Idaho.

The property has been hay ground and pasture land for the past 100 years and has been in the Ross family for over 60 -80 years. Cleon Ross is now planning on deeding the property to his daughter Janine Jolley and son David Ross. Because they want to each own their own parcel, they are trying to split it into two equal parcels. The land was created through a land split process and therefore cannot be split again via under that ordinance. The land split ordinance does not require an NP study be done.

The only choice left is to do a subdivision of the land in order for each party to own their individual parcel.

A. Test Hole Data

AW Engineering dug two test pits over 9 feet depth and evaluated the soils materials found near the proposed drain field sites. The soil was as expected and as shown on NRCS SOILS STUDY.

0-1.5 ft	silty loam organic soil (topsoil)
1.5 - 9'	Gravelly to very gravelly loam

No evidence of any water table or bedrock above 9 feet.

V. PROPOSED PROJECT

The proposed project is to divide the 8.2 acres into two equally sized lots that would be 150 foot wide and run from the Old Jackson Hwy. to State Highway 33. Each lot would have an individual well and sewer system. The majority of the land lies outside of any wetlands and away from Trail Creek and the small Town Canal that runs along the Western edge of the property.

The soil is Badgerton loam and ranges from the top 18" being gravelly loam to very gravelly loam. The NRCS Soils study report is included in the Appendix – S: p.1-10.

No subwater has been noted in this area nor is there any evidence of it in the test holes. From well logs and other information, the ground water is over 80 feet deep. Well logs are included in App. W-1.

An NP study would not provide any information pertinent to the water quality impact of the two 4.11 acre subdivision.

VI. SUMMARY OF REPORT

- A. Soils loamy gravel over 80 feet deep.
- B. Water table over 80 deep.
- C. Drain field area will be defined on the plat to be over 300 feet from Trail Creek.
- D. A NP study would not provide any pertinent data showing the impact on the water quality from putting two modest homes on 8.2 acres of land in this area and on this type of soil.

VII. WAIVER REQUEST:

It has been determined by Teton County Planning and Zoning that because the property does have Trail Creek running through it, which is shown on the Waterways Overlay Area map, it likely has some wetlands adjacent to said creek. This determination requires the project to have a NP Level 1 study done on it or request a waiver from this requirement as a submittal with the subdivision plat application.

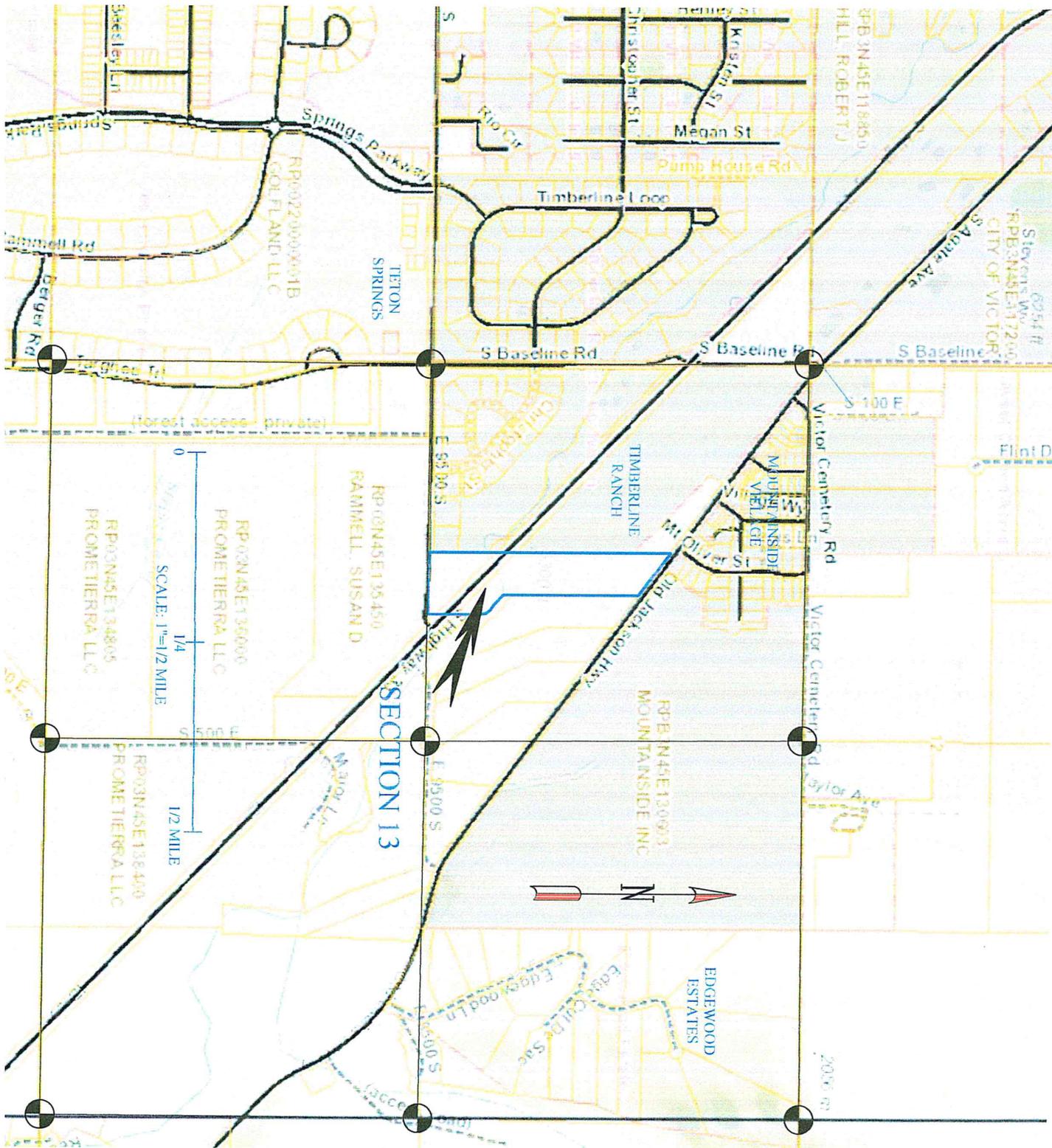
The owner and I as his Engineer, do hereby request that a waiver from completing a Level I NP study be granted for this project, thus allowing the subdivision application to proceed.

The basis for this request is the time and cost to perform said study when the applicant is willing to place building envelopes on each lot which would restrict the property from having any drain fields within 300 feet of said Trail Creek.

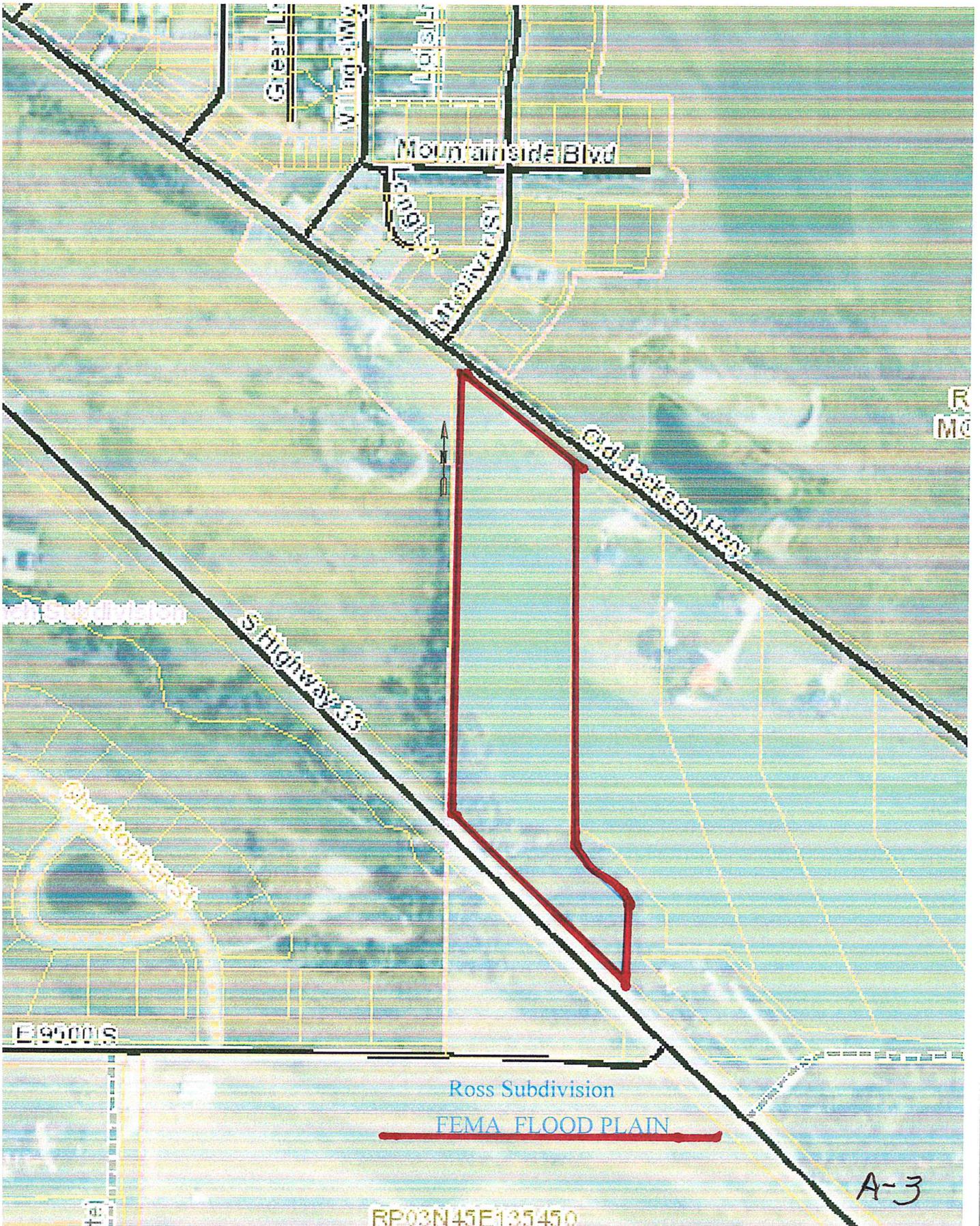
Other factors considered were the City of Victor's closest sewer manhole, which is over 300 feet from the location of a proposed drain field. That would require a lift station to pump the sewer effluent up to the manhole. The estimated cost to construct this line and lift station and cross the Old Jackson Highway would be about \$50,000.00 plus the higher connection cost for a hook up outside of the city limits.

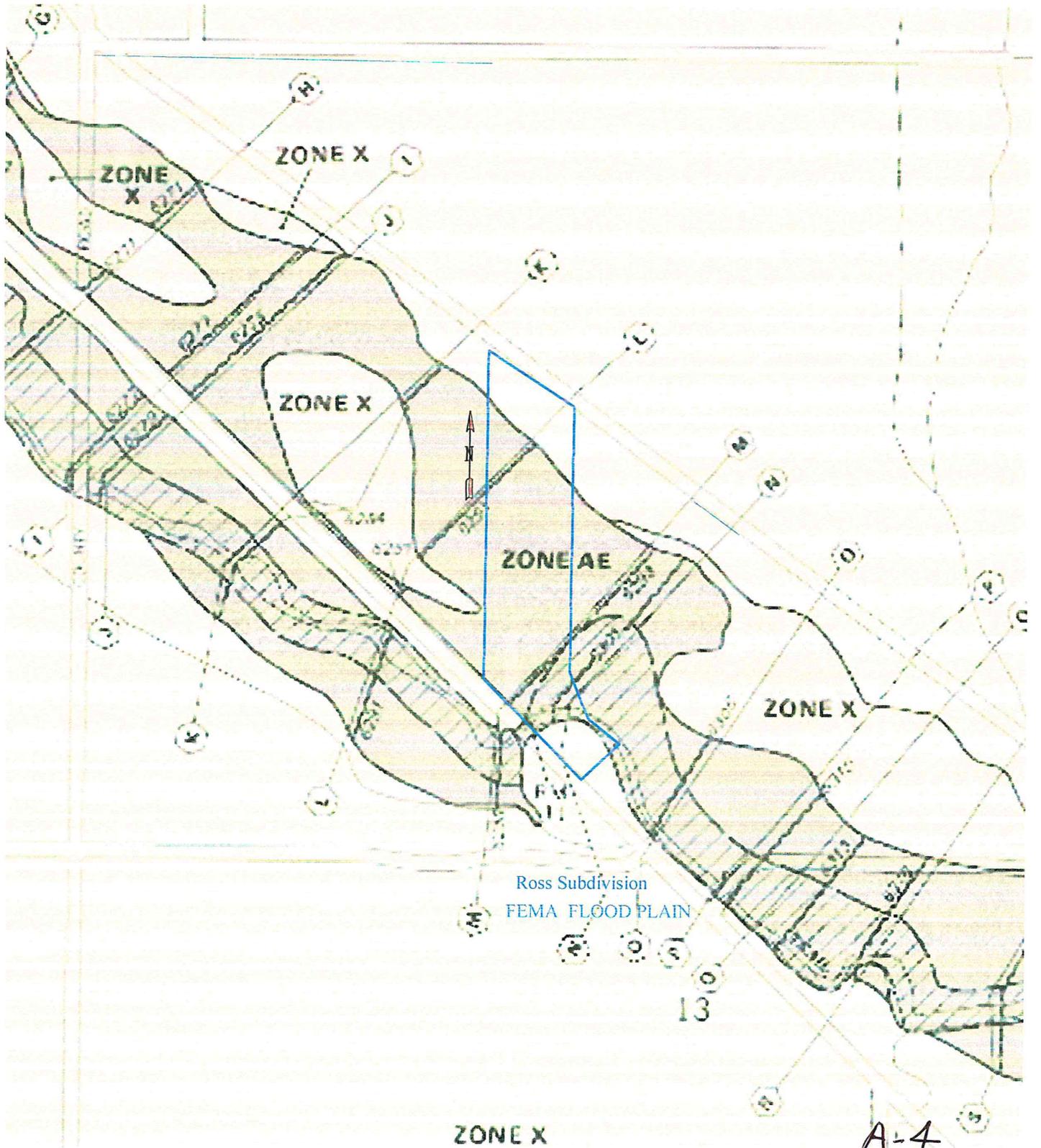
The soils are deep gravelly loam with the water table being over 80 feet deep, thus showing that an individual drain field and system would function with no environmental concerns and little chance of septic effluent reaching the drinking water table before it is purified through natural processes.

The other benefit is that the natural aquifer is being re-charged with 90% of the water pumped out of the wells being put back into the ground within the same hydraulic area from which it was pumped.



VICINITY MAP
ROSS SUBDIVISION





ZONE X

A-4



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Teton Area, Idaho and Wyoming

Ross Subdivision



July 31, 2016

Doc R: 1-17

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Custom Soil Resource Report Soil Map



Custom Soil Resource Report

MAP LEGEND

- Area of Interest (AOI)
 - Area of Interest (AOI)
 - Soil Map Unit Polygons
 - Soil Map Unit Lines
 - Soil Map Unit Points
- Special Point Features
 - Blowout
 - Borrow Pit
 - Clay Spot
 - Closed Depression
 - Gravel Pit
 - Gravelly Spot
 - Landfill
 - Lava Flow
 - Marsh or swamp
 - Mine or Quarry
 - Miscellaneous Water
 - Perennial Water
 - Rock Outcrop
 - Saline Spot
 - Sandy Spot
 - Severely Eroded Spot
 - Sinkhole
 - Slide or Slip
 - Sodic Spot
- Water Features
 - Streams and Canals
- Transportation
 - Rails
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 - US Routes
 - Major Roads
 - Local Roads
- Background
 - Aerial Photography
- Soils
 - Spoil Area
 - Stony Spot
 - Very Stony Spot
 - Wet Spot
 - Other
 - Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Teton Area, Idaho and Wyoming
 Survey Area Data: Version 5, Sep 25, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 20, 2011—Jul 21, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map-unit boundaries may be evident.

Custom Soil Resource Report

Map Unit Legend

Teton Area, Idaho and Wyoming (ID650)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
13417	Badgerton-Arimo complex, 0 to 2 percent slopes	14.1	66.0%
13425	Badgerton-Alpine complex, 2 to 8 percent slopes	1.2	5.4%
13430	Alpine-St. Anthony complex, 0 to 2 percent slopes	6.1	28.6%
Totals for Area of Interest		21.4	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments

Custom Soil Resource Report

on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Custom Soil Resource Report

Teton Area, Idaho and Wyoming**13417—Badgerton-Arimo complex, 0 to 2 percent slopes****Map Unit Setting**

National map unit symbol: 1vgn
Elevation: 5,890 to 6,570 feet
Mean annual precipitation: 16 to 18 inches
Mean annual air temperature: 38 to 44 degrees F
Frost-free period: 20 to 90 days
Farmland classification: Not prime farmland

Map Unit Composition

Badgerton, rarely flooded, and similar soils: 50 percent
Arimo and similar soils: 40 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Badgerton, Rarely Flooded**Setting**

Landform: Flood plains on fan remnants
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed alluvium

Typical profile

A - 0 to 9 inches: loam
AB - 9 to 17 inches: very gravelly loam
BC - 17 to 31 inches: extremely gravelly loamy sand
C1 - 31 to 43 inches: extremely gravelly loamy coarse sand
C2 - 43 to 60 inches: very gravelly sandy loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum in profile: 4 percent
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 1.0
Available water storage in profile: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): 6c
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: B
Ecological site: RIVERBOTTOM 10-18 POAN3/LECI4 (R013XY049ID)

Description of Arimo**Setting**

Landform: Stream terraces on fan remnants

Custom Soil Resource Report

Down-slope shape: Linear
Across-slope shape: Linear, convex
Parent material: Mixed alluvium with loess influence

Typical profile

Ap1 - 0 to 2 inches: loam
Ap2 - 2 to 13 inches: loam
Bw - 13 to 15 inches: loam
Bk1 - 15 to 25 inches: loam
Bk2 - 25 to 29 inches: very gravelly sandy loam
2Bkq - 29 to 35 inches: extremely gravelly loamy sand
2C - 35 to 60 inches: extremely gravelly sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 36 percent
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 1.0
Available water storage in profile: Low (about 4.9 inches)

Interpretive groups

Land capability classification (irrigated): 4c
Land capability classification (nonirrigated): 4c
Hydrologic Soil Group: B
Ecological site: LOAMY 12-16 - Provisional (R013XY001ID)

13425—Badgerton-Alpine complex, 2 to 8 percent slopes**Map Unit Setting**

National map unit symbol: 1vgtt
Elevation: 6,040 to 6,680 feet
Mean annual precipitation: 16 to 26 inches
Mean annual air temperature: 36 to 44 degrees F
Frost-free period: 20 to 90 days
Farmland classification: Not prime farmland

Map Unit Composition

Badgerton, rarely flooded, and similar soils: 55 percent
Alpine and similar soils: 35 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Custom Soil Resource Report

Description of Badgerton, Rarely Flooded**Setting**

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear, concave
Parent material: Mixed alluvium

Typical profile

A - 0 to 9 inches: loam
AB - 9 to 17 inches: very gravelly loam
BC - 17 to 31 inches: extremely gravelly loamy sand
C1 - 31 to 43 inches: extremely gravelly loamy coarse sand
C2 - 43 to 60 inches: very gravelly sandy loam

Properties and qualities

Slope: 2 to 8 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum in profile: 4 percent
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 1.0
Available water storage in profile: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): 6c
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: B
Ecological site: RIVERBOTTOM 10-18 POAN3/LECI4 (R013XY049ID)

Description of Alpine**Setting**

Landform: Fan remnants, stream terraces
Down-slope shape: Convex, linear
Across-slope shape: Linear, convex
Parent material: Mixed alluvium

Typical profile

A1 - 0 to 2 inches: gravelly loam
A2 - 2 to 11 inches: very gravelly loam
ABk - 11 to 17 inches: extremely gravelly loam
Bk - 17 to 25 inches: extremely gravelly sandy loam
Bkq - 25 to 31 inches: extremely gravelly loamy sand
Bk' - 31 to 35 inches: extremely gravelly sandy loam
Bkq' - 35 to 44 inches: extremely gravelly loamy sand
Bk1" - 44 to 51 inches: extremely gravelly sandy loam
Bk2" - 51 to 60 inches: gravel

Properties and qualities

Slope: 2 to 8 percent
Depth to restrictive feature: More than 80 inches

Custom Soil Resource Report

Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 75 percent
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 1.0
Available water storage in profile: Very low (about 2.2 inches)

Interpretive groups

Land capability classification (irrigated): 4c
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: B
Ecological site: SHALLOW GRAVELLY 12-16 ARTRV/PSSPS (R013XY004ID)

Minor Components**Foxcreek, wooded**

Percent of map unit: 5 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: RIVERBOTTOM 10-18 POAN3/LECI4 (R013XY049ID)

Redfish, wooded

Percent of map unit: 5 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Concave, linear
Ecological site: RIVERBOTTOM 10-18 POAN3/LECI4 (R013XY049ID)

13430—Alpine-St. Anthony complex, 0 to 2 percent slopes**Map Unit Setting**

National map unit symbol: 1vghp
Elevation: 5,910 to 6,480 feet
Mean annual precipitation: 16 to 18 inches
Mean annual air temperature: 38 to 44 degrees F
Frost-free period: 50 to 90 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Alpine and similar soils: 50 percent
St. anthony and similar soils: 35 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Custom Soil Resource Report

Description of Alpine**Setting***Landform:* Fan remnants, stream terraces*Down-slope shape:* Linear, convex*Across-slope shape:* Linear, convex*Parent material:* Mixed alluvium**Typical profile***A1 - 0 to 2 inches:* gravelly loam*A2 - 2 to 11 inches:* very gravelly loam*ABk - 11 to 17 inches:* extremely gravelly loam*Bk - 17 to 25 inches:* extremely gravelly sandy loam*Bkq - 25 to 31 inches:* extremely gravelly loamy sand*Bk' - 31 to 35 inches:* extremely gravelly sandy loam*Bkq' - 35 to 44 inches:* extremely gravelly loamy sand*Bk1" - 44 to 51 inches:* extremely gravelly sandy loam*Bk2" - 51 to 60 inches:* gravel**Properties and qualities***Slope:* 0 to 2 percent*Depth to restrictive feature:* More than 80 inches*Natural drainage class:* Well drained*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high
(0.57 to 1.98 in/hr)*Depth to water table:* More than 80 inches*Frequency of flooding:* None*Frequency of ponding:* None*Calcium carbonate, maximum in profile:* 75 percent*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)*Sodium adsorption ratio, maximum in profile:* 1.0*Available water storage in profile:* Very low (about 2.2 inches)**Interpretive groups***Land capability classification (irrigated):* 4c*Land capability classification (nonirrigated):* 6s*Hydrologic Soil Group:* B*Ecological site:* SHALLOW GRAVELLY 12-16 ARTRV/PSSPS (R013XY004ID)**Description of St. Anthony****Setting***Landform:* Swales on fan remnants*Down-slope shape:* Concave, linear, convex*Across-slope shape:* Linear, concave*Parent material:* Gravelly mixed alluvium**Typical profile***A1 - 0 to 7 inches:* gravelly loam*A2 - 7 to 12 inches:* gravelly loam*Bw - 12 to 23 inches:* very gravelly sandy loam*BC - 23 to 47 inches:* extremely gravelly coarse sandy loam*2C - 47 to 60 inches:* extremely gravelly loamy sand**Properties and qualities***Slope:* 0 to 2 percent*Depth to restrictive feature:* More than 80 inches

Custom Soil Resource Report

Natural drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum in profile: 1.0

Available water storage in profile: Low (about 3.5 inches)

Interpretive groups

Land capability classification (irrigated): 4c

Land capability classification (nonirrigated): 4s

Hydrologic Soil Group: B

Ecological site: SHALLOW GRAVELLY 12-16 ARTRV/PSSPS (R013XY004ID)

7/31/2016

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Dominant Ecological Site Map

Ecological Sites by Map Unit Component Table

Basic Options

Ecological Site Type Rangeland

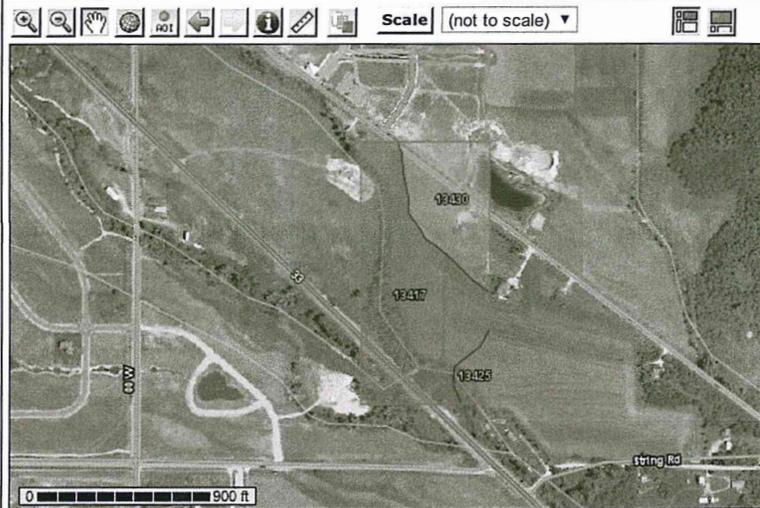
[View All Ecological Sites Info](#)

R013XY001ID — LOAMY 12-16 - Provisional

R013XY004ID — SHALLOW GRAVELLY 12-16 ARTRV/PSSPS

R013XY049ID — RIVERBOTTOM 10-18 POAN3/LECI4

Map — Dominant Ecological Site — Rangeland



Warning: Soil Ratings Map may not be valid at this scale.

You have zoomed in beyond the scale at which the soil map for this area is intended to be used. Mapping of soils is done at a particular scale. The soil surveys that comprise your AOI were mapped at 1:24,000. The design of map units and the level of detail shown in the resulting soil map are dependent on that map scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

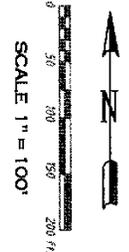
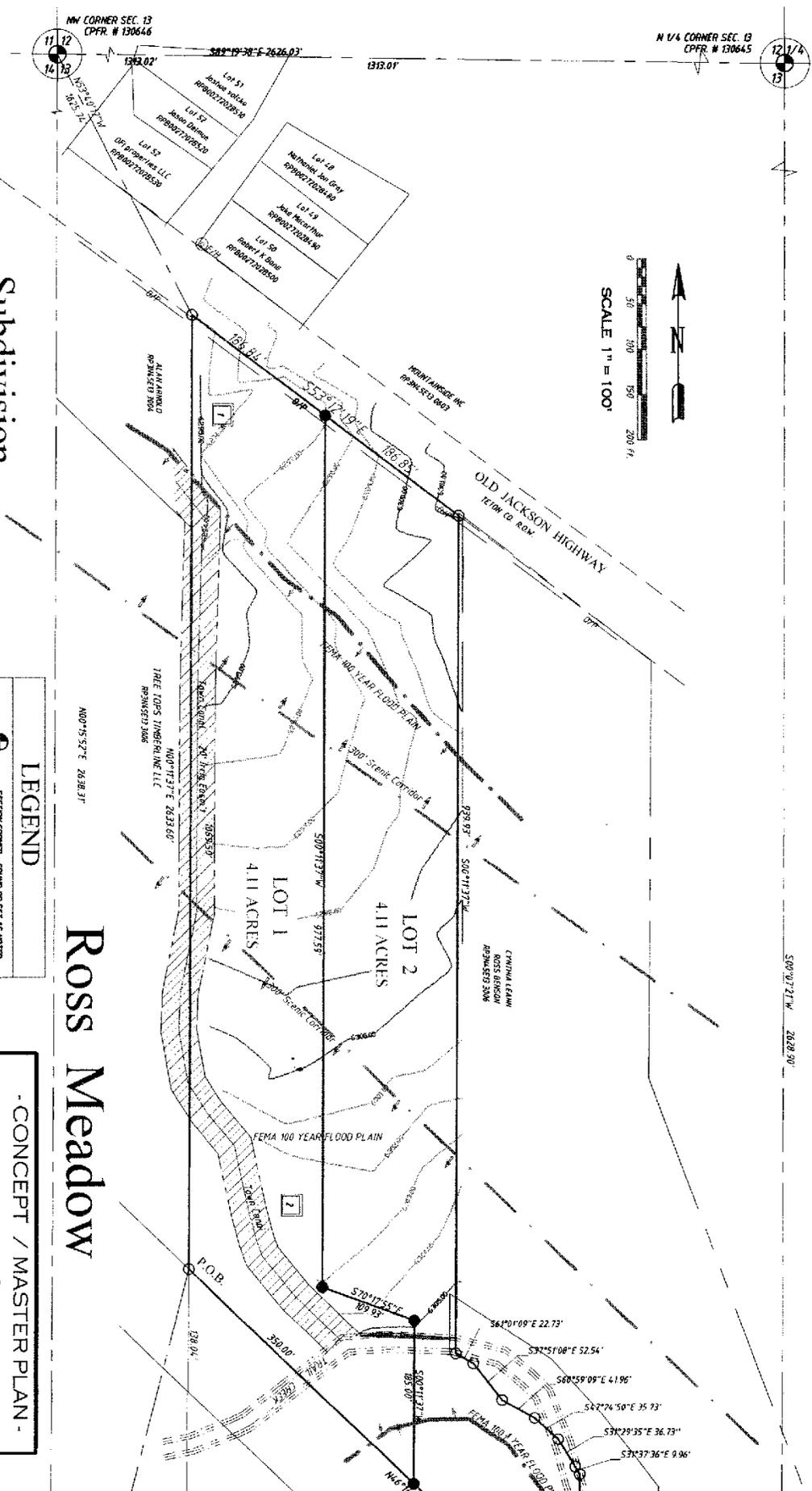
Table — Ecological Sites by Map Unit Component — Rangeland

Teton Area, Idaho and Wyoming					
Map unit symbol	Map unit name	Component name (percent)	Ecological site	Acres in AOI	Percent of AOI
13417	Badgerton-Arimo complex, 0 to 2 percent slopes	Badgerton, rarely flooded (50%)	R013XY049ID — RIVERBOTTOM 10-18 POAN3/LECI4	14.1	66.0%
		Arimo (40%)	R013XY001ID — LOAMY 12-16 - Provisional		
13425	Badgerton-Alpine complex, 2 to 8 percent slopes	Badgerton, rarely flooded (55%)	R013XY049ID — RIVERBOTTOM 10-18 POAN3/LECI4	1.2	5.4%
		Alpine (35%)	R013XY004ID — SHALLOW GRAVELLY 12-16 ARTRV/PSSPS		
		Foxcreek, wooded (5%)	R013XY049ID — RIVERBOTTOM 10-18 POAN3/LECI4		
		Redfish, wooded (5%)	R013XY049ID — RIVERBOTTOM 10-18 POAN3/LECI4		
13430	Alpine-St. Anthony complex, 0 to 2 percent slopes	Alpine (50%)	R013XY004ID — SHALLOW GRAVELLY 12-16 ARTRV/PSSPS	6.1	28.6%
		St. Anthony (35%)	R013XY004ID — SHALLOW GRAVELLY 12-		

From: Arnold W. Woolstenhulme(woolstenhulme)
To: [Kristin Owen](#)
Subject: Ross Sub NP study vairance
Date: Monday, October 17, 2016 2:10:37 PM
Attachments: [Ross NP study.pdf](#)

Attached please find some information and data on the Ross Sub for the NP study variance. I have included some adjacent well logs and IDWR area summary for well logs, the test hole location and data for two holes, and AW Eng has submitted water samples from three well in the area for Nitrate testing. The Nitrate test will take about 3 month for results I was informed.

Thanks Arnold



Subdivision

CONCEPT PLAN NOTES

1. MOST OF PROPERTY LIES WITHIN 100 YEAR FEMA FLOOD PLAIN
2. 300 FEET OF PROPERTY ON NORTH AND SOUTH SIDES LIES WITHIN SCENIC CORRIDOR
3. PROPERTY LIES ADJACENT TO VICTOR CITY LIMITS
4. PROPERTY LIES WITHIN VICTOR AREA OF IMPACT
5. PROPERTY HAS CANAL RUNNING ALONG THE WEST SIDE WITH 20 FOOT EASEMENT
6. VICTOR CITY TRUNK WATER LINE IS IN THE OLD JACKSON HIGHWAY R.O.W.
7. VICTOR CITY MUNICIPAL SEWER TRUNKLINE IS IN MOUNTAIN VILLAGE SUBDIVISION
8. ZONING IS AP 7.25 TETON COUNTY ZONE
9. BRIDGATION - SHARPS BY TRAIL CREEK BRIDGE CO. FIELD LINE 300 FT EAST

LEGEND	
	SECTION CORNER - FOUND OR SET AS NOTED
	PROPERTY CORNER - FOUND 5/16" FROM PIN
	PROPERTY CORNER - SET 5/16" FROM PIN
	STAKE TEST HOLE
	SCENIC CORRIDOR 300' WIDE
	DIVERGING POWER LINE
	EDGE OF COUNTY ROAD RIGHT OF WAY
	FEMA 100 YEAR FLOOD PLAIN
	PROPERTY BOUNDARY
	SECTIONAL BREAKDOWN LINE
	ADJACENT PROPERTY LINE
	EDGE TRAIL OBEY
	EASEMENT - 40' WIDE

- CONCEPT / MASTER PLAN -
ROSS MEADOW SUBDIVISION

A PORTION OF THE E1/2 NW 1/4 OF SECTION 13, TWP. 3 N., R10G. 45 E., B1M,
 TETON COUNTY, IDAHO

OWNER: CILEON ROSS 4352 E. 181 N. IDAHO FALLS, ID 83401	AW ENGINEERING 235 SOUTH VICTOR, IDAHO 83455 (208) 787-7857 awengineering.com
DATE: Aug 2, 2016	DATE: Dec 2015
SURVEY / DATE	REV / DATE
04g- AMW	1/1- SUBDIV

Ross Meadow

<u>Well Log</u>	SLATE MAJOR(Owner/Operator)	D0054969	5/11/2009	140	635 SOUTH HIGHWAY 33	HIGH PLAINS DRILLING INC	03N 45E 13	NWSE	Domestic- Single Residence	6	30	10	
<u>Well Log</u>	TED MAJOR(Owner/Operator)	D0011397	10/20/1999	60	967 S HIGHWAY 33	TETON WATER WORKS LLC	03N 45E 13	NESE		6	0	10	
<u>Well Log</u>	TED MAJORS(Owner/Operator)		6/26/1987	80		DENNING WELL DRILLING INC	03N 45E 13	NESE				20	
<u>2</u>	<u>Well Log</u>	JOHN OWENS(Owner/Operator)		8/19/1977	200		DENNING WELL DRILLING INC	03N 45E 13	NWSE			0	60
<u>3</u>	<u>Well Log</u>	TIM N VESGAARD(Owner/Operator)		8/30/1993	100	45 E 950 S	DANIEL DENNING DRILLING INC	03N 45E 13	SENW		6	0	38
<u>4</u>	<u>Well Log</u>	SETH WOOLSTENHULME(Owner/Operator)		D0071272 8/25/2016	138	9620 OLD JACKSON HWY	DANIEL DENNING DRILLING INC	03N 45E 13	NESE	Domestic- Single Residence	6		38

IDAHO Department of Water Resources



Well Construction Search

[Search Tips](#)

[New Search](#)

[Contact Us](#)

Click on column headers to sort displayed data...

Well Information Summary...14 well(s)

Well Log	Contact	D-Tag	Comm. Date	Total Depth	Address	Drilling Co.	Trp. Ring Size	Tract	Sub	Foot Print Use	Cross-Section	State
<u>Well Log</u>	CONTINENTAL REALTY(Owner/Operator)		1/20/1981	335		EUGENE RICHARDS WELL DRILLING CO	03N 45E 13	SWNE			10	300
<u>Well Log</u>	EDGEWOOD ESTATES HOMEOWNERS ASSN(Owner/Operator)	D0011977	6/14/2000	440	EDGEWOOD LANE	DANIEL DENNING DRILLING INC	03N 45E 13	NENE	ESDGEWOOD ESTATES	Municipal	12	300
<u>Well Log</u>	TETON SPRINGS(Representative)	D0011791	5/28/2001	792	SOUTHEAST OF INTERSECTION OF BASELINE RD AND 950 SOUTH	ANDREW	03N 45E 13	NWSE			10	500
<u>Well Log</u>	FORSYTHE GENE(Owner/Operator)		7/23/1970	175		ANONYMOUS DRILLER	03N 45E 13	NWSE			0	45
<u>Well Log</u>	PAUL HAMBLIN(Owner/Operator)	D0004060	10/29/1997	100		DANIEL DENNING DRILLING INC	03N 45E 13	NENE			6	0
<u>Well Log</u>	NEWEL KIMBALL(Owner/Operator)	D0071258	7/27/2016	140	580 E 9500 S	DANIEL DENNING DRILLING INC	03N 45E 13	SWNE		Domestic- Single Residence	6	50
<u>Well Log</u>	ROBERT KINCAID(Owner/Operator)	D0043908	5/12/2006	240	950 S 90 E	HIGH PLAINS DRILLING INC	03N 45E 13	SENE		Domestic- Single Residence	8	60
<u>Well Log</u>	STEVEN LEIBLER(Owner/Operator), CAROL LEIBLER(Owner/Operator)		9/14/1992	115		INDEPENDENT DRILLING	03N 45E 13	NWNW		Domestic- Single Residence	8	50

Form 238-7
4/92

DND ✓
✓
✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

<p>1. WELL OWNER</p> <p>Name <u>Tim Vesgaard</u></p> <p>Address <u>PO Box 333 Victor Id</u></p> <p>Drilling Permit No. <u>22-93-E-119-000</u></p> <p>Water Right Permit No. <u>22-07712</u></p>	<p>7. WATER LEVEL</p> <p>Static water level <u>38'</u> feet below land surface.</p> <p>Flowing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No G.P.M. flow _____</p> <p>Artesian closed-in pressure _____ p.s.i.</p> <p>Controlled by: <input type="checkbox"/> Valve <input type="checkbox"/> Cap <input type="checkbox"/> Plug</p> <p>Temperature _____ °F. Quality _____</p> <p><small>Describe artesian or temperature zones below.</small></p>																																																										
<p>2. NATURE OF WORK</p> <p><input checked="" type="checkbox"/> New well <input type="checkbox"/> Deepened <input type="checkbox"/> Replacement</p> <p><input type="checkbox"/> Well diameter increase <input type="checkbox"/> Modification</p> <p><input type="checkbox"/> Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)</p>	<p>8. WELL TEST DATA</p> <p><input type="checkbox"/> Pump <input type="checkbox"/> Bailer <input type="checkbox"/> Air <input type="checkbox"/> Other _____</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																							
Discharge G.P.M.	Pumping Level	Hours Pumped																																																									
<p>3. PROPOSED USE</p> <p><input checked="" type="checkbox"/> Domestic <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Monitor</p> <p><input type="checkbox"/> Industrial <input type="checkbox"/> Stock <input type="checkbox"/> Waste Disposal or Injection</p> <p><input type="checkbox"/> Other _____ (specify type)</p>	<p>9. LITHOLOGIC LOG</p> <p style="text-align: right; font-weight: bold;">106980</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>8"</td> <td>0'</td> <td>2'</td> <td>Clay</td> <td> </td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>8"</td> <td>2'</td> <td>35'</td> <td>Clay and Gravel</td> <td> </td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>6"</td> <td>25'</td> <td>45'</td> <td>Clay Gravel Sand</td> <td><input checked="" type="checkbox"/></td> <td> </td> </tr> <tr> <td>6"</td> <td>45'</td> <td>55'</td> <td>Clay with very little Gravel</td> <td><input checked="" type="checkbox"/></td> <td> </td> </tr> <tr> <td>6"</td> <td>55'</td> <td>58'</td> <td>Clay</td> <td> </td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>6"</td> <td>58'</td> <td>82'</td> <td>Clay and Gravel</td> <td><input checked="" type="checkbox"/></td> <td> </td> </tr> <tr> <td>6"</td> <td>82'</td> <td>90'</td> <td>Gravel with some Clay</td> <td><input checked="" type="checkbox"/></td> <td> </td> </tr> <tr> <td>6"</td> <td>90'</td> <td>100'</td> <td>Clay & Gravel</td> <td><input checked="" type="checkbox"/></td> <td> </td> </tr> </tbody> </table> <p><i>2. Well bottom 14' of hole slowly opens with water being pulled through it & down</i></p>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	8"	0'	2'	Clay		<input checked="" type="checkbox"/>	8"	2'	35'	Clay and Gravel		<input checked="" type="checkbox"/>	6"	25'	45'	Clay Gravel Sand	<input checked="" type="checkbox"/>		6"	45'	55'	Clay with very little Gravel	<input checked="" type="checkbox"/>		6"	55'	58'	Clay		<input checked="" type="checkbox"/>	6"	58'	82'	Clay and Gravel	<input checked="" type="checkbox"/>		6"	82'	90'	Gravel with some Clay	<input checked="" type="checkbox"/>		6"	90'	100'	Clay & Gravel	<input checked="" type="checkbox"/>	
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<p>4. METHOD DRILLED</p> <p><input checked="" type="checkbox"/> Rotary <input checked="" type="checkbox"/> Air <input type="checkbox"/> Auger <input type="checkbox"/> Reverse rotary</p> <p><input type="checkbox"/> Cable <input type="checkbox"/> Mud <input type="checkbox"/> Other _____ (backhoe, hydraulic, etc.)</p>	<p>10.</p> <p>Work started <u>8-27-93</u> finished <u>8-30-93</u></p>																																																										
<p>5. WELL CONSTRUCTION</p> <p>Casing schedule: <input checked="" type="checkbox"/> Steel <input type="checkbox"/> Concrete <input type="checkbox"/> Other _____</p> <p>Thickness _____ Diameter _____ From _____ To _____</p> <p><u>250"</u> inches <u>6"</u> inches + <u>1</u> feet <u>86</u> feet</p> <p>_____ inches _____ inches _____ feet _____ feet</p> <p>_____ inches _____ inches _____ feet _____ feet</p> <p>Was casing drive shoe used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Was a packer or seal used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Perforated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>How perforated? <input type="checkbox"/> Factory <input type="checkbox"/> Knife <input type="checkbox"/> Torch <input type="checkbox"/> Gun</p> <p>Size of perforation? _____ inches by _____ inches</p> <p>Number _____ From _____ To _____</p> <p>_____ perforations _____ feet _____ feet</p> <p>_____ perforations _____ feet _____ feet</p> <p>_____ perforations _____ feet _____ feet</p> <p>Well screen installed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Manufacturer _____ Type _____</p> <p>Top Packer or Headpipe _____</p> <p>Bottom of Tailpipe _____</p> <p>Diameter _____ Slot size _____ Set from _____ feet to _____ feet</p> <p>Diameter _____ Slot size _____ Set from _____ feet to _____ feet</p> <p>Gravel packed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Size of gravel _____</p> <p>Placed from _____ feet to _____ feet</p> <p>Surface seal depth <u>20'</u> Material used in seal: <input type="checkbox"/> Cement grout</p> <p><input checked="" type="checkbox"/> Bentonite <input type="checkbox"/> Puddling clay <input type="checkbox"/> _____</p> <p>Sealing procedure used: <input type="checkbox"/> Slurry pit</p> <p><input type="checkbox"/> Temp. surface casing <input checked="" type="checkbox"/> Overbore to seal depth</p> <p>Method of joining casing: <input type="checkbox"/> Threaded <input checked="" type="checkbox"/> Welded</p> <p><input type="checkbox"/> Solvent Weld <input type="checkbox"/> Cemented between strata</p> <p>Describe access port _____</p>	<p>11. DRILLER'S CERTIFICATION</p> <p>I/We certify that all minimum well construction standards were complied with at the time the rig was removed.</p> <p>Firm Name <u>Daniel Downing Drilling</u> Firm No. <u>518</u></p> <p>Address <u>Box 460 Ucon</u> Date <u>8-30-93</u></p> <p>Signed by Drilling Supervisor <u>Daniel Downing</u></p> <p>and _____</p> <p>(Operator) _____ (if different than the Drilling Supervisor)</p>																																																										
<p>6. LOCATION OF WELL</p> <p>Sketch map location must agree with written location.</p>  <p>Subdivision Name _____</p> <p>Lot No. _____ Block No. _____</p> <p>County <u>Teton</u></p> <p>Address of Well Site <u>455th 950 South</u></p> <p>(give at least name of road)</p> <p><u>SE</u> ¼ <u>NW</u> ¼ Sec. <u>13</u> T. <u>3</u> N or S <input type="checkbox"/></p> <p>R. <u>45</u> E or W <input checked="" type="checkbox"/></p>	<p>RECEIVED</p> <p>SEP 21 1993</p> <p>DEPARTMENT OF WATER RESOURCES Eastern District Office</p> <p>FEB 09 1994</p>																																																										

ROSS MEADOWS SUBDIVISION

Request for NP Study Waiver

Part of the E ½SW ¼ Sec 13, Twp. 3 N, R 45 E, B.M.
Teton County, ID.

Prepared for:

Cleon Ross
9488 Old Jackson Hwy.
Victor, Teton Co., Idaho 83455

And: 4352 E 116 N, Idaho Falls, Id. 83401

Phone 208-201-2944
docross@aol.com

by Arnold W Woolstenhulme
A W Engineering
Box 139, Victor, Idaho
(208-787-2952)

August 1, 2016

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APPENDIX

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	B. PROJECT PLAT	A-2
	C. AERIAL PHOTO	A-3
	D. FEMA FLOOD MAP	A-4
E.	NRCS SOILS DATA	B-1
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G.	WELL LOGS IN AREA	W: 1-5

III. PURPOSE OF REPORT

The purpose of this report is to submit information and data to support the request for a waiver to the Teton County Subdivision Ordinance section which would require an NP (Nutrient Pathogen) study on the subject property addressed in this report. The NP study is required by Teton Co. Ordinance Sec 9-3-2 (C-3-C) because it states four conditions requiring the study.

This property has Trail Creek running across the South side near State Hwy 33. Trail creek is a year-around flowing stream and would have a small amount of wetlands adjacent to the water's edge. The ordinance 9-3-2(C-3-b) requires a study when the proposed development lies wholly or partially within the WW Wetland and Waterways Overlay Area (Sec 8-5-1-D).

The ordinance allows a request for a variance from the NP study when it is not required by DEQ or Eastern Idaho Health Department. They have both been contacted and neither has a policy requiring an NP study for property in this situation. Their policy is to require a NP study when a central sewer system is being proposed.

This report presents the information showing the property location and the data known about the soils and the availability to provide other sewer systems in this area.

IV. PROPERTY DATA AND BACKGROUND

Property Location: An 8.2 acre parcel of lan, owned by Cleon Ross lying in the W½ W½ NE1/4 NW1/4 of Section 13, Twp. 3 N., Rng. 45 E. B.M., Teton County, Idaho.

The property has been hay ground and pasture land for the past 100 years and has been in the Ross family for over 60 -80 years. Cleon Ross is now planning on deeding the property to his daughter Janine Jolley and son David Ross. Because they want to each own their own parcel, they are trying to split it into two equal parcels. The land was created through a land split process and therefore cannot be split again via under that ordinance. The land split ordinance does not require an NP study be done.

The only choice left is to do a subdivision of the land in order for each party to own their individual parcel.

A. Test Hole Data

AW Engineering dug two test pits over 9 feet depth and evaluated the soils materials found near the proposed drain field sites. The soil was as expected and as shown on NRCS SOILS STUDY.

0-1.5 ft	silty loam organic soil (topsoil)
1.5 - 9'	Gravelly to very gravelly loam

No evidence of any water table or bedrock above 9 feet.

V. PROPOSED PROJECT

The proposed project is to divide the 8.2 acres into two equally sized lots that would be 150 foot wide and run from the Old Jackson Hwy. to State Highway 33. Each lot would have an individual well and sewer system. The majority of the land lies outside of any wetlands and away from Trail Creek and the small Town Canal that runs along the Western edge of the property.

The soil is Badgerton loam and ranges from the top 18" being gravcly loam to very gravelly loam. The NRCS Soils study report is included in the Appendix – S: p.1-10.

No subwater has been noted in this area nor is there any evidence of it in the test holes. From well logs and other information, the ground water is over 80 feet deep. Well logs are included in App. W-1.

An NP study would not provide any information pertinent to the water quality impact of the two 4.11 acre subdivision.

VI. SUMMARY OF REPORT

A. Soils loamy gravel over 80 feet deep.

B. Water table over 80 deep.

C. Drain field area will be defined on the plat to be over 300 feet from Trail Creek.

D. A NP study would not provide any pertinent data showing the impact on the water quality from putting two modest homes on 8.2 acres of land in this area and on this type of soil.

VII. WAIVER REQUEST:

It has been determined by Teton County Planning and Zoning that because the property does have Trail Creek running through it, which is shown on the Waterways Overlay Area map, it likely has some wetlands adjacent to said creek. This determination requires the project to have a NP Level 1 study done on it or request a waiver from this requirement as a submittal with the subdivision plat application.

The owner and I as his Engineer, do hereby request that a waiver from completing a Level 1 NP study be granted for this project, thus allowing the subdivision application to proceed.

The basis for this request is the time and cost to perform said study when the applicant is willing to place building envelopes on each lot which would restrict the property from having any drain fields within 300 feet of said Trail Creek.

Other factors considered were the City of Victor's closest sewer manhole, which is over 300 feet from the location of a proposed drain field. That would require a lift station to pump the sewer effluent up to the manhole. The estimated cost to construct this line and lift station and cross the Old Jackson Highway would be about \$50,000.00 plus the higher connection cost for a hook up outside of the city limits.

The soils are deep gravelly loam with the water table being over 80 feet deep, thus showing that an individual drain field and system would function with no environmental concerns and little chance of septic effluent reaching the drinking water table before it is purified through natural processes.

The other benefit is that the natural aquifer is being re-charged with 90% of the water pumped out of the wells being put back into the ground within the same hydraulic area from which it was pumped.

ADDENDUM TO NP STUDY REPORT

Oct 12, 2016

AW Eng has added the soil test hole data to the report by this addendum.

The well Logs and general wells in the area is added and attached to this addendum.

Nitrate data and water samples from an upstream well and from a downstream well is in process with samples submitted to the a Testing Lab.

Soils Test Hole

HOLE 1 0 – to 12” Topsoil loam with gravel

12” to 36” loamy gravel

36” to 100” loamy gravel with boulders

Bottom of hole dry no water evidence.

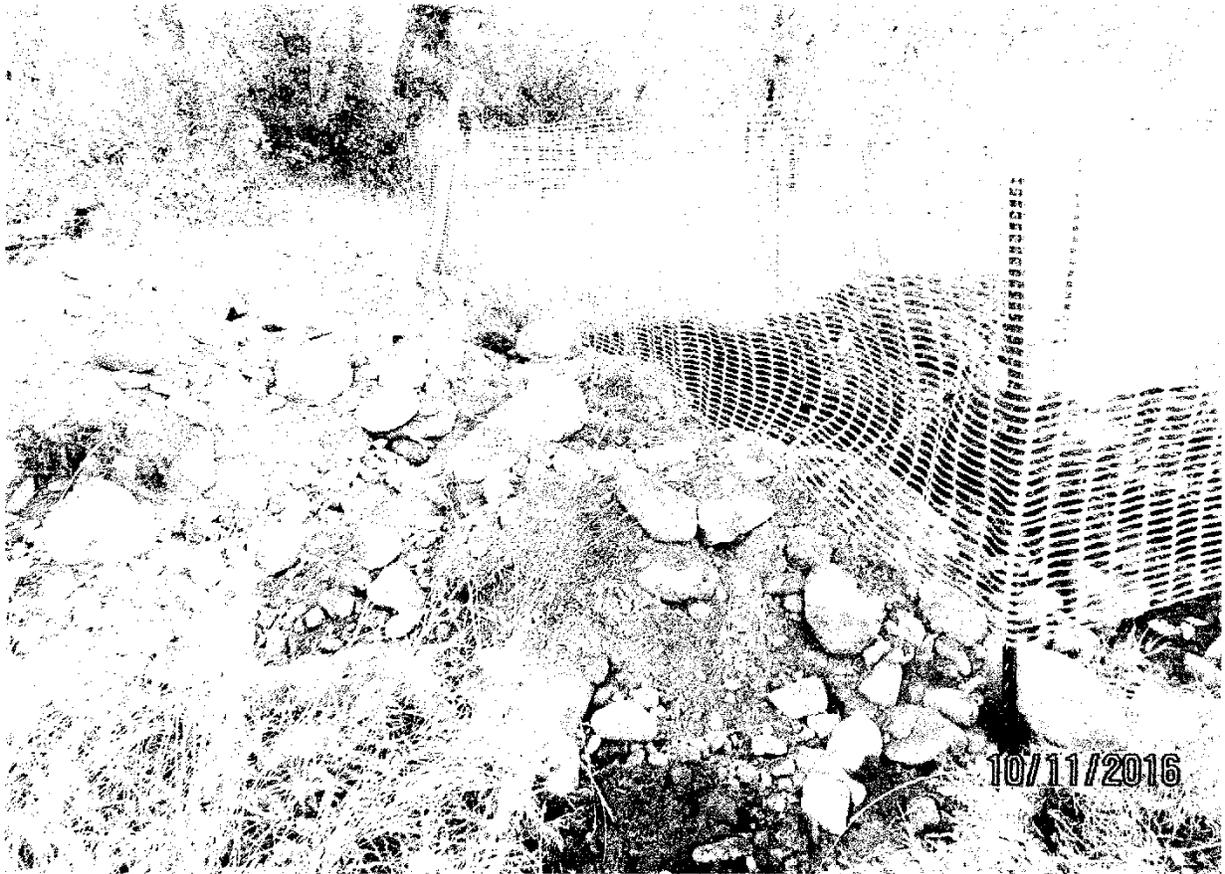
HOLE 2 0-16” Topsoil - loam with gravel

16” to 40” loamy gravel with boulders

40” to 110” loamy gravel with boulders

Bottom dry No water evidence Hole left open and pictures taken.

Arnold Woolstenhulme



Ross - Test Hole Hole Spoils



5' w/ Prop Corner - Ross Test Pit -



WORK ORDER SUMMARY

ORDER NUMBER
1610183

DATE RECEIVED
10/13/16

COMPANY NAME
Woolstenhulme, Arnold

SUBMITTED BY
Arnold Woolstenhulme

REPORT TO

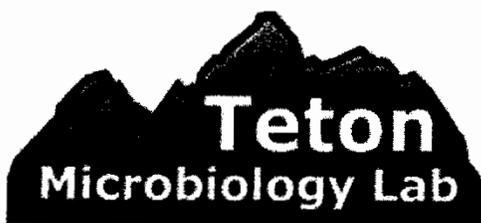
PROJECT
Nitrate

WORKORDER NOTES

SAMPLE DESCRIPTION (3)
·Nitrate as N x 3

ADDITIONAL NOTES

(Paperless Billing: Email to : aweng@ida.net)
Report To: -- Arnold Woolstenhulme: (208)
787-2952 --



Completed Date:	_____
Invoiced Date:	_____
Reported Date:	_____
Payment:	Invoice - Pending Payment



258 N. Water Ave Suite #2 - Idaho Falls, ID 83402
 phone(208)-529-0077 fax(208)-522-3797
 email: tetonmicrolab@gmail.com www.tetonmicro.com

INVOICE

Bill To: Arnold Woolstenhulme

.

Invoice Date: October 13, 2016

Work Order No. 1610183

PO Number:

TERMS: Due Upon Receipt
 Late Invoices subject to
 an additional Fee

PROJECT: Nitrate

<i>Coll. Date</i>	<i>Sampling Point</i>	<i>Sample Description</i>	<i>List Price</i>
10/13/16	House 9000 S. 1000 E.	Nitrate as N	\$35.00
10/13/16	House 9000 S. 950 E.	Nitrate as N	\$35.00
10/13/16	House 9200 Baseline	Nitrate as N	\$35.00
FEE: Weekend			\$60.00

Please Pay This Amount \$165.00

If payment has already been sent, please disregard this notification.

Please detach and return this section with your payment. Thank You

Amount Due: \$165.00

Client: Woolstenhulme, Arnold

Work Order Number: 1610183

REMIT TO: Teton Microbiology Laboratory
 258 North Water Suite #2
 Idaho Falls, ID 83402

Invoice Date: 10-13-2016

PO Number:

Amount Paid: _____



258 N. Water Ave Suite #2 - Idaho Falls, ID 83402
 phone(208)-529-0077 fax(208)-522-3797
 email: tetonmicrolab@gmail.com www.tetonmicro.com

Workorder Outsource Analytical Report

Client: Woolstenhulme, Arnold
 Project: Nitrate
 Work Order No: 1610183

Report Date: 10-18-2016
 Status: Pending
 Order Time: 10-13-16 04:36:36 PM

Sample ID	Matrix	Outsource Location	Sample Type	Collect Time	Location	
T161018301	Water	IAS - Pocatello	Routine Sample	10-13-16 11:15:00 AM	House 9000 S. 1000 E.	
	Analysis	Result	Units	Method	Analysis Date	Analyst
	Nitrate as N	< 1.00	mg/L	300.0	10-14-16 11:32:14 AM	CCH

Sample ID	Matrix	Outsource Location	Sample Type	Collect Time	Location	
T161018302	Water	IAS - Pocatello	Routine Sample	10-13-16 11:20:00 AM	House 9000 S. 950 E.	
	Analysis	Result	Units	Method	Analysis Date	Analyst
	Nitrate as N	< 1.00	mg/L	300.0	10-14-16 11:32:53 AM	CCH

Sample ID	Matrix	Outsource Location	Sample Type	Collect Time	Location	
T161018303	Water	IAS - Pocatello	Routine Sample	10-13-16 11:25:00 AM	House 9200 Baseline	
	Analysis	Result	Units	Method	Analysis Date	Analyst
	Nitrate as N	< 1.00	mg/L	300.0	10-14-16 11:33:27 AM	CCH

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the places where you play, live & work

PZ Attachment 2



pierson land works LLC

www.piersonlandworks.com

November 7, 2016

Teton County Planning & Zoning Department
Attn: Kristin Rader and Teton County Planning & Zoning Commission
Teton County Courthouse
150 Courthouse Drive
Driggs, ID 83422

RE: Request of a Nutrient-Pathogen Evaluation Waiver for the proposed Nelson Subdivision 2-Lot Subdivision; 680 East 5500 South Victor ID

Dear Kristin and Teton County Planning & Zoning Commission:

Please consider this request to waiver the Nutrient-Pathogen Evaluation as required under Teton County Subdivision Regulations Title 9-2-3(C-3-b). We are submitting this waiver on behalf of Valoie Nelson owner and applicant for the Nelson Subdivision, a 2-Lot subdivision of 8.11 acres within the SW1/4 NE1/4 of Section 25 T. 4 N., R. 45 E., B.M., TETON COUNTY, IDAHO.

The Nelson Subdivision is proposing a new boundary line that will take the parent parcel of 8.11 acres and form a 2-Lot Subdivision consisting of Lot 1 (5.6 acres) and Lot 2 (2.5 acres). The proposed Nelson Subdivision is within the Wetlands and Waterways Overlay due to the fact that a seasonal channel of Fox Creek flows through the property. The WW Overlay was originally overlooked during the Concept Review Phase and was a non-issue in the Development Review Committee meeting held on October 11, 2016. The proposed Nelson Subdivision has existing infrastructure consisting of two homes with appropriate utilities to service the residences. Both domestic wells and sanity sewer systems that service the residences have been approved and are of record with the Eastern Idaho Public Health Department. The Nelson Subdivision proposes no further development that would may require a Nutrient-Pathogen (NP) Evaluation as the in-place infrastructure is satisfactory and current to the standards required by Eastern Idaho Public Health Department.

Please let me know if you need additional information or have any questions. This request to waiver a Nutrient-Pathogen (NP) Evaluation will be on the Preliminary Plat Approval Hearing scheduled November 8, 2016.

Sincerely,

Patrick Gilroy

**MOFFATT
THOMAS**
Attorneys at Law

Lee Radford
(208) 528-5252
klr@moffatt.com

MAILING ADDRESS: PO Box 51505
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Idaho Falls ID 83402-4972

208.522.6700 MAIN
800.422.2889 TOLL-FREE
208.522.5111 FAX

October 5, 2016

TETON COUNTY
PLANNING & ZONING

OCT - 5 2016

RECEIVED

Kristin Owen
Planning Administrator
Teton County Planning Department
150 Courthouse Drive, Room 107
Driggs, ID 83422

Re: Letter re: BYU-Idaho Outdoor Learning Center

Dear Ms. Owen:

I have been asked by Brigham Young University – Idaho (“BYU-Idaho”) to respond to your letter to Jason Thornton dated September 7, 2016. In that letter, you refer to complaints Teton County has received regarding the BYU-Idaho Outdoor Learning Center located at Badger Creek from neighbors of that facility.

First and foremost, BYU-Idaho is sensitive to the concerns of its neighbors. While BYU-Idaho is trying to use the Outdoor Learning Center to introduce students and others to the beauty of the natural world, it does not want to cause any harm to other neighboring landowners. BYU-Idaho has attempted in the past to address these concerns, and is currently taking additional steps to address these concerns, and will continue to address these issues if they arise in the future. These steps are explained in this letter, along with potential methods to accommodate the needs and desires of the neighbors of the Outdoor Learning Center.

The BYU-Idaho Outdoor Learning Center

Before covering the ways BYU-Idaho is addressing these concerns, it is important to first understand the objectives of the BYU-Idaho Outdoor Learning Center.

The Outdoor Learning Center is an outdoor, hands-on learning laboratory, which is used by BYU-Idaho to build leadership abilities and to introduce students and others to the learning opportunities available outdoors and in the federal and state public lands nearby. BYU-Idaho

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does this through a variety of programs, including the Outdoor Learning Center, its Recreation Management academic group, its Outdoor Resource Center, and through other programs.

The Outdoor Learning Center is designed to create deeply significant leadership, learning and recreational experiences for many young people and others, including those students whose area of focus is recreation management and therapy.

One part of the Outdoor Learning Center is the Semester@Badger program, which is a partnership between the Department of Health, Recreation, and Human Performance of BYU-Idaho, and the Outdoor Learning Center. The program is designed to create leadership, learning, and recreational experiences for students whose area of focus (including minors and clusters) is recreation management and therapy. Students in these majors have had success in utilizing these skills in careers in tourism, education, and therapy.

The Outdoor Learning Center includes a dedicated ranch, ropes courses, principle-based learning activities, and cabins to create learning experiences. The Outdoor Learning Center partners with academic departments and other campus organizations in their educational goals. That means that the staff and student leaders at the Outdoor Learning Center coordinate learning experiences focused on the principles chosen by the group utilizing the Outdoor Learning Center facilities.

The Outdoor Learning Center also hosts summer experiences for high school age students from across the country. This program, which is currently called "Adventures for Youth" or AFY, provides these students a week-long experience in the outdoors, combined with adventures on public lands.

Another way that BYU-Idaho encourages outdoor education and access to the public lands is through the Outdoor Resource Center located on the BYU-Idaho campus in Rexburg. The Outdoor Resource Center in Rexburg provides all of the types of equipment needed for people to get outdoors and enjoy the area's natural resources, in exchange for low rental price. This includes rafts, tents, kayaks, skis, boats, snowshoes, canoes, climbing gear, hiking gear, clothing, boots, cooking gear, safety equipment, and nearly any other piece of equipment needed to access the outdoors. This Outdoor Resource Center is available to the public, as well as to BYU-Idaho students and faculty. The Outdoor Learning Center utilizes equipment from the Outdoor Resource Center for its programs.

BYU-Idaho also allows public groups, including Teton School District 401, to utilize the Outdoor Learning Center for their educational and non-profit purposes.

Of course, BYU-Idaho would welcome the opportunity to provide you and other Teton County officials a tour of the Outdoor Learning Center upon your request.

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The Urgency to Involve Youth in Experiences in the Natural World

The Outdoor Learning Center has been using its outdoor facilities to teach students and to provide leadership training since 1979. The outdoor education provided at the Outdoor Learning Center has been of great benefit to many students over that time.

As time has passed, the importance of providing youth experiences in the outdoors has increased as technology has served to keep youth indoors. Because of this trend, a new national movement has begun, which centers on the need to get youth into the natural world. In 2005, Richard Louv published his book “Last Child in the Woods: Saving Our Children from Nature-Deficit Disorder.” That book encouraged getting children away from technology and into the outdoors, as an essential part of their education and experience. Louv, Richard, *Last Child in the Woods: Saving Our Children from Nature-Deficit Disorder* (2005). Louv gave this need the label “nature deficit disorder.”

As a result of this work, Richard Louv was awarded the prestigious Audubon Medal for raising concerns about the costs of children’s isolation from the natural world, and for sparking this movement to remedy the problem. Louv wrote:

Every child needs nature. Not just the ones with parents who appreciate nature. Not only those of a certain economic class or culture or set of abilities. Every child.

<http://richardlouv.com/blog/> (February 28, 2012).

As the role of technology expands, this issue has increasingly drawn attention. This month’s National Geographic included the article “Can the Selfie Generation Unplug and Get Into Parks,” by New York Times writer Timothy Egan. National Geographic, October 2016. His article addressed the concern that younger generations are not visiting national parks in the same proportion as prior generations. This causes the concern that the next generation will not feel the same stewardship of conservation and preservation of natural places that has nurtured the national parks in the past. The article quotes National Park Service Director Jonathan Jarvis saying that “[y]oung people are more separated from the natural world than perhaps any generation before them” and “[t]he national parks risk obsolescence in the eyes of an increasingly diverse and distracted demographic.”

The same concerns have also been expressed and addressed in our local area. Recently, a meeting on how to address nature deficit disorder in eastern Idaho was held jointly with the State of Idaho Department of Fish and Game, the U.S. Forest Service, Idaho Falls Department of Parks and Recreation, the Theodore Roosevelt Conservation Partnership, and Tight Line Media. See Trevellyan, K., “Unstructured Play,” Post Register, at A1 (September 28, 2016) (“Local officials are concerned children aren’t spending time outdoors”). That article stated that at this meeting, “[m]any were concerned that if children don’t engage in outdoor activities

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– hiking, camping, angling – it will create a lapse in interest for future generations, and an indifference toward nature at large.” *Id.*

One of the criticisms put forward by this movement is that land use planning has not adequately incorporated locations for youth and the public to enjoy natural spaces. Teton County should not ignore this important interest in its land use planning, and in its new development code. The Outdoor Learning Center operated by BYU-Idaho meets these needs, and similar uses should be encouraged in Teton County.

Attempts by BYU-Idaho to Minimize Impacts and Resolve Concerns Expressed by Neighbors

Of course, the significant need for outdoor locations for education and enrichment does not mean that neighboring residential uses should be adversely impacted. When youth are brought outdoors and given the opportunity to learn in nature, they will invariably have fun, and make noise in the process. BYU-Idaho recognizes that these activities can impact adjoining landowners.

BYU-Idaho has tried to listen to and address the concerns of neighboring landowners that the exuberance of the youth enjoying the Outdoor Learning Center can be distracting and annoying. BYU-Idaho has attempted to mitigate these impacts through both changes to the procedures and operations followed, and changes to the physical facilities.

In the past, BYU-Idaho has taken a number of operational steps to mitigate any impacts of its property use on neighbors. These include the following:

- BYU-Idaho has moved general programming, as much as is feasible, to the upper portion of the ranch.
- Groups are not allowed to have fires or to play games on the lower portion of the ranch.
- BYU-Idaho no longer does games or orientation for the AFY program at the Logistics Center at the front of the property.
- BYU-Idaho instructs its staff to keep the neighbors in mind in everything that is done at the Outdoor Learning Center.
- BYU-Idaho has imposed 9pm – 9am quiet hours, especially during the AFY program.
- BYU-Idaho has notified bus drivers not to idle while at the property.
- BYU-Idaho notifies every group that visits the Outdoor Learning Center to be respectful of the privacy of our residents and neighbors by reducing noise.

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In addition, BYU-Idaho has also taken a number of capital improvements designed to mitigate any impacts of its property use on neighbors. These include the following:

- BYU-Idaho has removed the zip line from the lower ranch and moved it to a more distant location on site.
- BYU-Idaho has the road in front of the property oiled to cut down on dust created by use of the facility.
- BYU-Idaho is adjusting the lights on the sled hill to prevent glare to neighboring properties.

Moreover, in response to continuing concerns expressed by the neighboring landowners, BYU-Idaho is now implementing further operational steps in order to lessen any impacts. These include:

- BYU-Idaho is willing to move the dance that is on Thursday nights during the AFY program up an hour so that it is completed at 9:00 p.m.
- BYU-Idaho has asked its food supplier SYSCO, and SYSCO has agreed to turn off their refrigerator units and their engines, when feasible, while unloading supplies at the Logistics Center.

Also, in response to your letter, which stated that Teton County has again received complaints, BYU-Idaho has arranged for additional capital improvements designed to mitigate any impacts of its property use on neighbors. These include:

- BYU-Idaho will move the swing facility to the upper ranch area in Spring 2017, at a cost of more than \$10,000.
- BYU-Idaho will move four lower team-building initiatives that are currently located near the county road. This should occur either in the fall of 2016 or the spring of 2017.
- BYU-Idaho is researching methods to dampen and deflect noise created by the dance during held weekly during the summer AFY program.
 - BYU-Idaho is looking into noise dampening panels that can be hung on the upper pavilion.
 - BYU-Idaho is considering buying a different speaker for the dance that cannot produce the volume of our current speakers.
- BYU-Idaho is willing to oil the road from the bridge to the west of our property east to the pavement-a distance of just over 1 mile, to help maintain the road and keep down the dust.

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- BYU-Idaho is committed that any future modifications of the existing uses will take place on the upper portion of the property.

In addition, BYU-Idaho is open to other ideas and proposals for additional measures to alleviate impacts on neighboring properties. BYU-Idaho is willing to incorporate such additional mitigation measures if they would be permitted by Teton County and could fit within cost restraints.

Response to Legal Position Stated in Letter

While BYU-Idaho desires to be a good neighbor, it is also necessary to respond to the legal position stated in the letter dated September 7, 2016. In that letter, Teton County alleges that the Outdoor Learning Center is “in violation of the Teton County Land Use Code,” and requests that BYU-Idaho “remedy the violations immediately.” While the measures listed above demonstrate that BYU-Idaho is remedying the concerns expressed by the neighbors, BYU-Idaho disagrees with the assertion that it is in violation of the zoning regulations.

Section 8-7-1 of the Teton County Zoning Regulations provides the baseline rule regarding nonconforming uses:

8-7-1: NONCONFORMING USES. *Any uses lawfully occupying a building or land at the effective date hereof*, or of subsequent amendments hereto, *which do not conform to regulations for the zoning district in which it is located* shall be a nonconforming use and may be continued. Nonconforming uses are, therefore, grand fathered [*sic*] under provisions of this title . . .”

Teton County Zoning Regulations, § 8-7-1 (emphasis added).

In analyzing a nonconforming use, the first question must be whether the current use does “not conform to regulations for the zoning district in which it is located.” The second question is whether the current use lawfully occupied the land at the effective date of the newly enacted zoning regulations.

The September 7 letter jumps to the second question without first addressing the primary question of whether the current use fails to conform to the regulations of the current zoning district. This first question needs to be carefully addressed first, in order to give the correct scope to the second question.

The Outdoor Learning Center Complies with the Current Zoning Regulations

Teton County’s letter dated September 7 does not provide any explanation of why it asserts that the Outdoor Learning Center is in violation of the current zoning regulations. In fact, the Outdoor Learning Center appears to be in compliance with the current Zoning Regulations.

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Pursuant to the current Zoning Regulations, it appears that the Outdoor Learning Center is located in the zone designated A/RR-2.5 Agriculture / Rural Residential. Table 8.6.2 of the Zoning Regulations provides that a “Dude Ranch” is Permitted with Conditions (PC) in the A-2.5 zoning district, where the Outdoor Learning Center is located. A “Dude Ranch” is defined in Section 8-4-2 as:

A ranch that provides multi-night accommodations for guests, provides a recreational activity or immediate access to recreational activities, has dining facilities on-site, barns, associated buildings, corrals, pastures, and livestock related to a working ranch and/or the recreational activity available to guests. The guest/dude ranch does not include a commercial restaurant, café or bar that caters to the general public, nor does it actively solicit nightly accommodations.

Zoning Regulations § 8-4-2 (“Dude Ranch”). This definition seems to describe the Outdoor Learning Center. The Outdoor Learning Center provides recreational activities and access to recreational activities, has a dining facility on-site, has corrals and livestock, and has associated buildings for these activities. These facilities are made available to the guests at the ranch. The Outdoor Learning Center does not include a commercial restaurant or bar that caters to the general public. Instead, the dining facility is limited to guests or groups who are registered for a recreational activity program. The Outdoor Learning Center does not solicit nightly accommodations. Instead, it is designed for multi-night accommodations for guests registered for the recreational and educational program offered.

This type of Dude Ranch must meet two sets of conditions. First, according to Table 8-6-2 A, a Dude Ranch must meet the Lighting, Parking, Hours of Operation, and Outside Storage conditions in Section 8-6-2 A.3. These requirements provide as follows:

c. Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of this Title, Section 8-4-6.

d. Parking: The parking requirements of Title 8, Table 3 shall be met and the Americans with Disabilities Act (ADA) required handicap parking spaces provided. In lieu of the above, a parking plan prepared by a professional in the field shall be submitted to the planning administrator for consideration.

e. Hours of Operation: Hours of operation shall be from 6:00 a.m. to 10:00 p.m. Monday through Saturday, unless otherwise specified in Title 8 or in the PC permit.

.....

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g. Outside Storage: Where outside storage is permitted, such use shall be located in the rear yard and a sight proof fence or natural screening shall be provided and maintained around the storage area at least one foot higher than the stored material.

The Outdoor Learning Center meets each of these requirements. The Outdoor Learning Center complies with the Outdoor Lighting provisions of Section 8-4-6. There is no shortage of parking space on the property, so that the Parking requirement is met. The Outdoor Learning Center complies with the Hours of Operation, by allowing only sleeping activities outside of those hours. The Outdoor Learning Center also complies with the Outside Storage requirements.

Second, Section 8-6-2 B of the Zoning Regulations provides that a Dude Ranch is allowed in the A-2.5 zoning district, but that the Dude Ranch must also meet the supplementary conditions required for the Dude Ranch use. These requirements are:

- a. A dude ranch shall be located on a parcel of at least 20 acres;
- b. The maximum number of guests shall be limited to one-half (.5) guests per acre;
- c. Where activities require the use of public lands, the dude ranch shall abut these lands or have access to them by a recorded access agreement or easement across intervening lands or by a public road;
- d. Use of public lands for the activities provided by the dude ranch shall have permission from the appropriate agency;
- e. Central dining facilities shall be provided for guests;
- f. Guest units shall not have cooking or eating facilities;
- g. Up to six (6) one day events may be held per year for guests who want to visit but not stay overnight;
- h. Intense recreational facilities such as a golf course or campground shall not be provided;
- i. The sale of meals to persons who are not overnight guests of the dude ranch shall be prohibited, except for special events;
- j. Guest units shall not be rented or sold for a dwelling unit;

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- k. A site plan shall be submitted that addresses the use of motorized vehicles to, from, and within the site, including description of the types of vehicles and road and trail locations;
- l. Employee and guest parking shall be located entirely on-site;
- m. The site plan shall also show that a minimum of 60% of the property remains as open areas; and
- n. All dude ranch facilities shall be clustered to not exceed two (2) percent of the total site area and shall not be closer than 200 feet to any property boundary or county road.

Zoning Regulations § 8-6-2 B. The Outdoor Learning Center meets most of these supplementary conditions, as follows:

- a. A dude ranch shall be located on a parcel of at least 20 acres. The Outdoor Learning Center is located on over 200 acres of land.
- b. The maximum number of guests shall be limited to one-half (.5) guests per acre. The Outdoor Learning Center normally accommodates less than 0.5 guests per acre, or 100 guests. However, during ten (10) weeks during the summer, the Outdoor Learning Center accommodates approximately 175 guests. The Outdoor Learning Center has been used for groups greater than 100 guests for many years.
- c. Where activities require the use of public lands, the dude ranch shall abut these lands or have access to them by a recorded access agreement or easement across intervening lands or by a public road. The Outdoor Learning Center obtains access to public lands by means of public roads.
- d. Use of public lands for the activities provided by the dude ranch shall have permission from the appropriate agency. The Outdoor Learning Center obtains the appropriate permits or permissions from the appropriate agencies for all of its activities utilizing public lands.
- e. Central dining facilities shall be provided for guests. The Outdoor Learning Center has one central kitchen where the food for the facility is prepared.

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f. Guest units shall not have cooking or eating facilities. The bunk cabins used by the Outdoor Learning Center do not have cooking or eating facilities.

g. Up to six (6) one day events may be held per year for guests who want to visit but not stay overnight. Most of the programs at the Outdoor Learning Center involve overnight accommodations for the registered guests of the program. However, for many years, the Outdoor Learning Center has also catered to the needs of a variety of groups for same day uses of the facilities, including uses for teacher development and other uses by the Teton School District.

h. Intense recreational facilities such as a golf course or campground shall not be provided. The Outdoor Learning Center does not include a golf course or a campground.

i. The sale of meals to persons who are not overnight guests of the dude ranch shall be prohibited, except for special events. The Outdoor Learning Center does not sell meals to persons who are not registered overnight guests.

j. Guest units shall not be rented or sold for a dwelling unit. The bunk cabins at the Outdoor Learning Center are used for registered guests of the recreational and educational programs offered.

k. A site plan shall be submitted that addresses the use of motorized vehicles to, from, and within the site, including description of the types of vehicles and road and trail locations. The site plan for the Outdoor Learning Center has essentially been the same since it was established in 1979. Aerial and satellite images show the roads and trail locations for the site are essentially unchanged over that time. *See* attached maps.

l. Employee and guest parking shall be located entirely on-site. All employee and guest parking for the Outdoor Learning Center is located on site.

m. The site plan shall also show that a minimum of 60% of the property remains as open areas. Much more than 60% of the Outdoor Learning Center property remains as open area.

n. All dude ranch facilities shall be clustered to not exceed two (2) percent of the total site area and shall not be closer than 200

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feet to any property boundary or county road. The facilities of the Outdoor Learning Center are clustered on the south side of the property, and do not exceed two percent of the total site area. While the Outdoor Learning Center uses three buildings that are closer than 200 feet to the property boundary or county road, these facilities were constructed with approved building permits in 1982 (original caretakers cabin), 1989 (Logistics Center), and 2002 (new caretakers cabin). The Lodge building is over 700 feet from the county road, but is within 200 feet of a property boundary. However, the Lodge building was constructed in the early 1980s, apparently in compliance with the county's requirements as of that time.

Overall, the Outdoor Learning Center meets the requirements of the "Dude Ranch" use listed in the Zoning Regulations. While the occupancy limitation of 0.5 guests per acre is exceeded during some weeks, that use at that level has continued from times before the adoption of the current Zoning Regulations.

It also appears that the Outdoor Learning Center would also conform with the Zoning Regulations' allowance of a Retreat Center as a conditional use:

A facility used by small groups of people to congregate temporarily for such purposes as education, meditation, spiritual renewal, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meal or overnight accommodations. Housing for participants may be in lodges, dormitories, sleeping cabins (with or without baths), or in such other temporary quarters as may be approved, but kitchen and dining facilities shall be located in a single centrally located building or buildings.

Zoning Regulations § 8-4-1, Table 1.

For these reasons, it is not clear that the current use at the Outdoor Learning Center does not conform to the regulations for the zoning district where it is located. Teton County's letter dated September 7 does not provide any explanation of why it asserts that the Outdoor Learning Center is in violation of the current zoning regulations.

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Even if it Does Not Comply with the Current Regulations, the Outdoor Learning Center Is Allowed as a Nonconforming Use

If a use is not in conformance with current regulations, the next question is what use existed at the time the change in regulation took the use out of conformity with the regulations.

As shown in the Teton County Zoning Ordinance, Teton County's zoning rules have changed at least twenty-nine (29) times since the Outdoor Learning Center was established in 1979. Teton County's letter does not explain at what point over those years that Teton County believes that a compliant use became nonconforming. That omission is critical for setting the date on which a use existing at that time can be continued into the future.

In the September 7 letter, Teton County seems to base its analysis on the fact that the use proposed in 1979 was by Ricks College, a two-year degree granting institution, rather than BYU-Idaho, which grants four-year bachelor's degrees. Teton County attaches minutes from a meeting of the County Commissioners on March 12, 1979. Those minutes described the contemplated purpose of the facility:

The visitors stated that the purpose of the facility would be used toward a more practical and experience education for students enrolled at Ricks. They were desirous of knowing whether the planning program now in the making in the County would offer any restrictions to these objectives. It appeared that there were no objections to the proposals at this time, and that after the planning board had completed their work, that there would be no further restrictions as may relate to the development proposed by the College. A letter to this effect was prepared by the planning board and signed by both boards.

The purpose stated in 1979 is still the same purpose pursued today. The Outdoor Learning Center continues to provide a more practical and experience-oriented educational opportunity in the outdoor environment.

However, even if the facility had deviated from its purpose, which it has not, that would still not be the relevant test for whether BYU-Idaho was not in conformity with the current Zoning Regulations. The current Zoning Regulations allow land users to continue with non-conforming uses that pre-dated the current zoning code.

A "preexisting nonconforming use" is a use of land that lawfully existed prior to the enactment of a zoning ordinance and is maintained after the effective date of the ordinance. This right is afforded to land owners by virtue of the due process clauses within the state and federal constitutions, demanding that a landowner "has a right to continue that use despite the conflicting provisions of the subsequently enacted zoning ordinance." *Glengary-Gamlin Protective Ass'n, Inc. v. Bird*, 106 Idaho 84, 89, 675 P.2d 344, 349 (Ct. App. 1983). As

Kristin Owen
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explained by the Idaho Supreme Court, this limitation is a constitutional limitation on government. This limitation is found in Article I, Section 13 of the Idaho Constitution, provides that “[n]o person shall . . . be deprived of life, liberty, or property without due process of law.” This limitation is found in the Fifth Amendment to the United States Constitution, as made applicable to the states in the Fourteenth Amendment. U.S. Const., Amend. V, XIV.

Teton County seems to believe that the analysis of the nonconforming use should be dated from 1979, when the development was first built. That is legally not correct. Instead, the use must be analyzed at the time the use became nonconforming by virtue of a change in the County’s ordinances. Teton County does not explain when it believes the code changed in a way that the use became nonconforming.

By referring to Ricks College, Teton County also seems to believe that the analysis of a nonconforming use would depend on the owner of the property. Again, that is not the legally correct approach. Like most land use concepts, the analysis of a nonconforming use focuses on the use of the land, not on the ownership of the land. This principle is reinforced in Section 8-7-1 F of the current Zoning Regulation, which provides:

F. RIGHT: The right to a nonconforming use runs with the land,
 not with the owner.

Zoning Regulation, § 8-7-1 F. Counties are not given authority to discriminate between land owners, but only between land uses. So the fact that the educational institution was Ricks College in 1979 and BYU-Idaho in 2016 makes no difference, even if they were different owners.

Moreover, this argument regarding ownership is incorrect as a factual matter. In fact, the ownership of the property has not changed. As shown on the Idaho records, the name “Brigham Young University-Idaho” is the name of the corporation, which was previously known as “Ricks College” prior to September 4, 2001. The owner of the property has remained the same since 1979, even though the name has changed.

The September 7 letter presumes that the change from being a two-year degree institution to a four-year degree institution in 2001 somehow triggered a change of occupancy at the Outdoor Learning Center. No evidence of any kind is offered for that assumption.

The letter also is incorrect in its quotation of the Zoning Regulations. The letter quotes Section 8-7-1 B and D, but fails to quote Section 8-7-1 and 8-7-1 A and C. As quoted above, Section 8-7-1 provides that a nonconforming use “may be continued” and that nonconforming uses are “grand fathered [*sic*] under provisions of this title.” Zoning Regulations, 8-7-1. Section 8-7-1 A provides that

A. REPAIRS; MAINTENANCE: ***There shall be no limit on repairs of maintenance for nonconforming buildings or uses.***
 Repairs and maintenance shall not increase the degree of

Kristin Owen
 October 5, 2016
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nonconformity; other than to meet the provisions of law to accommodate handicap access as required by American Disabilities Act and other federal and state law.

Zoning Regulations, § 8-7-1 A (emphasis added). This provision is critical, because BYU-Idaho had submitted a building permit application for the purpose of replacing the existing sleeping cabins with cabins of a similar footprint and size. The letter denied that application, without referring to this provision. That application should have been allowed, because it was simply seeking to repair and maintain the existing cabins as allowed in Section 8-7-1 A. It should also be allowed under Section 8-7-1 D because the replacement is similar to the original sleeping cabins being replaced.

While “the owner of a nonconforming use may lose the protected grandfather right if the use is enlarged or expanded in violation of a valid zoning ordinance,” “[a]s a general rule, the mere “intensification” of a nonconforming use does not render it unlawful.” *Baxter v. City of Preston*, 115 Idaho 607, 609–10, 768 P.2d 1340, 1342–43 (1989) (citing *Prince George's County v. E.L. Gardner, Inc.*, 47 Md.App. 471, 424 A.2d 392 (1981) (a distinction is to be drawn between enlargement or extension of nonconforming uses and an intensification of such lawful uses, in that the latter may be permissible while the former is not); *Heagen v. Borough of Allendale*, 42 N.J.Super. 472, 127 A.2d 181 (1956) (increase in volume of business is not illegal extension); *Cullen v. Building Inspector of North Attleborough*, 353 Mass. 671, 234 N.E.2d 727 (1968) (mere increase in amount of business done is not in itself proof of unlawful change)).

In determining whether a land-use has “enlarged or expanded” in violation of a zoning ordinance, Idaho courts have adopted a “flexible approach” which “focuses on the character of the expansion and enlargement of the nonconforming use on a case by case basis.” *Baxter v. City of Preston*, 115 Idaho 607, 609, 768 P.2d 1340, 1342 (1989).

For example, the Idaho Supreme Court, in *Gordon Paving Co. v. Blaine Cty. Bd. of Cty. Comm'rs*, 98 Idaho 730, 572 P.2d 164 (1977), addressed whether a substitution of old facility with modern facilities for obsolescent equipment constituted an enlargement or extension. 98 Idaho at 731–32, 572 P.2d at 165–66. There, the challenging county relied on evidence that an asphalt facility had increased in size and the volume of output thereof had increased. 98 Idaho at 732, 572 P.2d at 166. The court ultimately relied on case law holding that “an increase in volume of use is not an enlargement or extension,” particularly when an increased volume is accompanied by a greater compatibility with the surrounding locale.” 98 Idaho at 732, 572 P.2d at 166.

The letter did not refer to Section 8-7-1 C, which allows nonconforming uses to expand on the lot. Section 8-7-1 C provides:

C. EXPANSION OF NONCONFORMING USE:
Nonconforming uses may expand, but only on the lot occupied by the land use on the effective date of the zoning ordinance in

Kristin Owen
October 5, 2016
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effect on March 11, 1996. A building permit must be obtained prior to any expansion. Proof of lot size and existing buildings for the nonconforming use occupied on the adoption date of the zoning ordinance in effect March 11, 1996, must be submitted with the building permit by the applicant.

Zoning Regulations, § 8-7-1 C (emphasis added).

Section 8-7-1 B also allows changes in occupancy of the nonconforming use, provided the new occupancy has no greater impact on the land use, traffic, noise generation, or parking requirements that existed prior to the change of occupancy. The Outdoor Learning Center is occupied by outdoor education and recreation programs of BYU-Idaho, as it has been occupied since it was first built and constructed in 1979. It is true that the facility has increased in popularity, in that the number of people served by the facility has increased somewhat over the years. However, BYU-Idaho has attempted to take measures to not allow any greater number of users to adversely impact traffic or noise or parking.

The Use of the Outdoor Learning Center Has Continued Since 1979

As explained above, Teton County provided its permits for the Outdoor Learning Center when it was first planned and constructed in 1979. Since 1979, the Outdoor Learning Center has pursued the same mission of providing a more practical and experience-based education in the outdoor environment.

The attached aerial photographs are dated from 1994, 1999, and 2015. Each show the same pattern of land use and roads at the Outdoor Learning Center over that time. Since Section 8-7-1 C refers to an effective date of the zoning ordinance of 1996, any use as of that date is presumptively valid. However, the various versions of the zoning ordinance are not available online, making it difficult to determine when Teton County would believe that the use became nonconforming. Indeed, as explained above, it is difficult to determine that the current use is nonconforming in relation to the current code in place today.

There is further evidence available regarding the use of the Outdoor Learning Center over the years since it was developed in 1979. BYU-Idaho would welcome the opportunity to present this additional evidence to you at a time of your convenience.

Conclusion

It is important that uses like the Outdoor Learning Center be permitted within Teton County. The Outdoor Learning Center introduces youth to the outdoors, and provides them experiences and leadership opportunities that are not available in a classroom setting. The Outdoor Learning Center has been providing these experiences on this property since 1979, and is allowed as a matter of the federal and state constitution to continue such use.

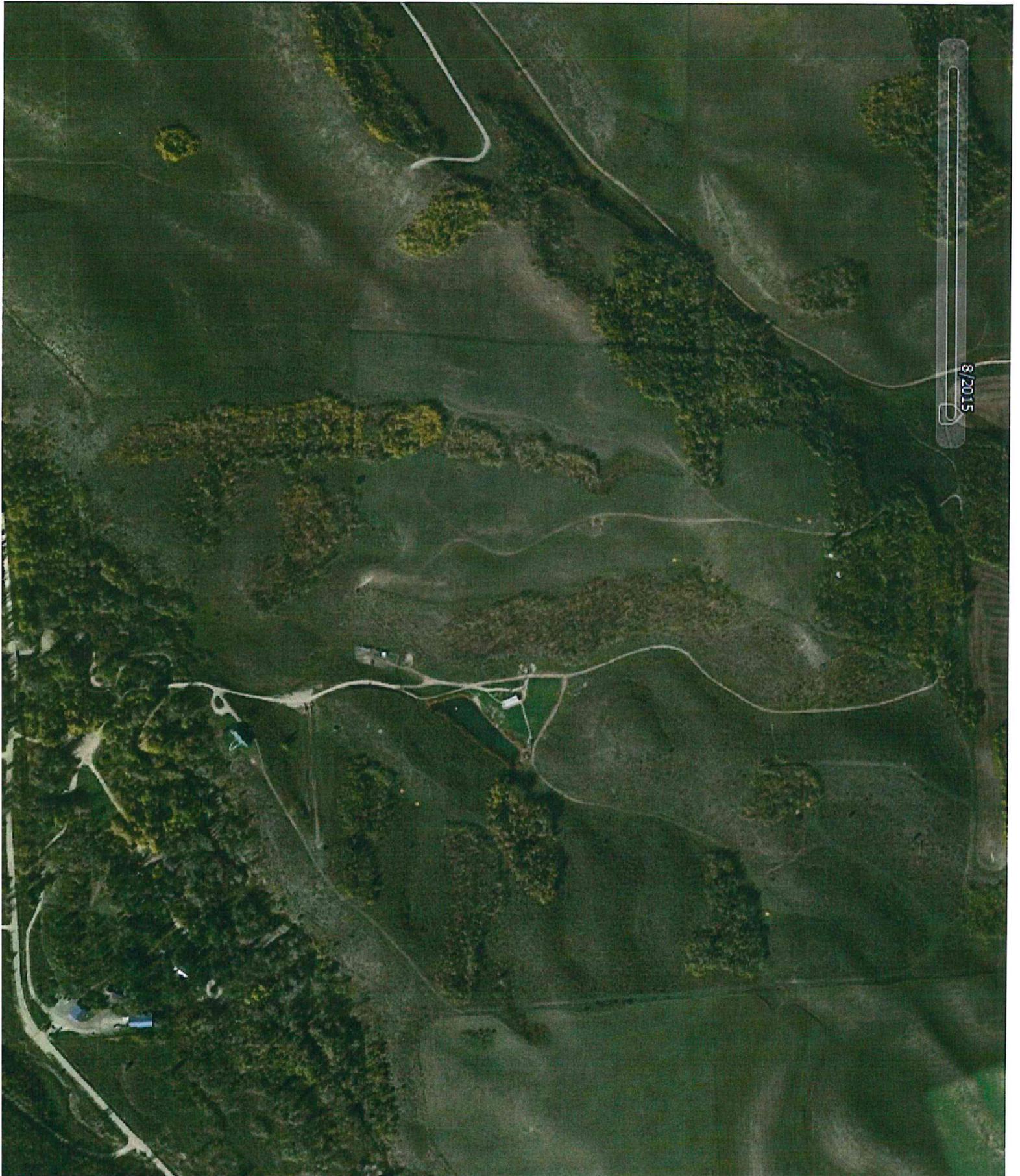
Kristin Owen
October 5, 2016
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Sincerely,

A handwritten signature in dark ink, appearing to read 'Lee Radford', with a stylized, cursive script.

Lee Radford

KLR/car



8/2015





7/1/999



Teton County Planning Department
 150 Courthouse Drive, Room 107 | Driggs, ID 83422
 Phone (208) 354-2593 | Fax: (208) 354-8410
 www.tetoncountyidaho.gov

November 7, 2016

Oliver Riehl
 PO Box 65
 Malad, ID 83252

RE: Code Violations at 7455 N 500 W, Tetonia, ID 83452 (RP0011300005W)

Dear Mr. Riehl,

The purpose of this letter is to notify you that you are in violation of the Teton County Code and request you remedy the violations immediately. Below is a list of violations the County has identified, by development type.

1. Manufactured Home

Building Violations

- a. According to Teton County's records, this structure was issued a setting permit by the Building Department in 2006. However, it is listed as "Outstanding".
- b. This building does not have a Certificate of Occupancy and may not be occupied.
- c. An attached deck has been added to this structure that was not previously permitted.

Floodplain Violations

- a. There is no record that this structure was issued a Floodplain Development Permit.
- b. Your property is located in the Special Flood Hazard Area, in a Zone A, without a Base Flood Elevation.
- c. An Elevation Certificate is required.
 - i. Title 12, Article V(K)(4) states "the lowest floor of the lowest enclosed area (including basement or crawlspace) elevated no less than two feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movement of flood waters shall be provided in accordance with the construction standards in Articles V(B) and (C)."
- d. Because this is a Manufactured Home, it must also be anchored.
 - ii. Title 12, Article V(C) states that "Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or

frame ties to ground anchors. This standard shall be in addition to, and consistent with, applicable state requirements. Manufactured homes placed on solid perimeter walls shall meet the flood vent requirements in Article V(B)(4).”

- **Please cease the occupancy of this structure immediately.** Inspections must be completed and a Certificate of Occupancy issued before occupying this structure. Please contact Tom Davis, Building Official, to discuss the specifics of this process.
- **Submit Floodplain Development Permit application materials and pay associated fees.** This must include an Elevation Certificate, completed by registered Professional Engineer or Professional Land Surveyor licensed in Idaho, anchoring specifications, and flood vent specifications. The floodplain permit fee is \$35.

2. Detached Garage (partially converted dwelling unit).

Building Violations

- a. A building permit was issued in 2014 for a detached garage. A permit was not issued for a dwelling unit. The building permit must be updated to reflect the actual development.
- b. An impact fee must be paid for the new dwelling. This fee is \$2005.96.
- c. An additional fee will be calculated for the residential building permit, as residential space is calculated at a different rate than non-residential space. This fee will be determined by the Building Department based on the square footage of the structure.
- d. Teton County also has a fee for Work Commencing without a Permit, which is calculated at 25% of the permit cost.
- e. This building does not have a Certificate of Occupancy and may not be occupied.

Floodplain Violations

- a. A floodplain development permit was issued for this structure in 2014 as a garage. Because this building has been converted into a dwelling unit, the floodplain development permit must be updated to reflect the actual development.
- b. An Elevation Certificate was required for the 2014 floodplain permit. There is no record this certificate has been submitted to Teton County.
 - i. Title 12, Article V(K)(4) states “the lowest floor of the lowest enclosed area (including basement or crawlspace) elevated no less than two feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movement of flood waters shall be provided in accordance with the construction standards in Articles V(B) and (C).”
 - ii. Title 12 requires that “the permit holder shall provide to the Floodplain Administrator an as-built certification of the floor elevation or flood-proofing level, using appropriate FEMA elevation or flood-proofing certificate, immediately after the lowest floor or flood-proofing is

completed. When flood-proofing is utilized for non-residential structures, the certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.”

Zoning Violations

- a. An accessory dwelling unit is permitted on parcels of 1 acre or larger, with a size restriction.
 - i. This size restriction is 50% the square footage of the primary dwelling or 900 ft², whichever is greater, not to exceed 1,500 ft² maximum.
 - b. According to the building permit for the garage, the building was proposed as 1,440 ft². The 2006 permit for the manufacture home does not include the square footage. At this time, it is unclear how much of this structure has been converted to a living space to determine if this size restriction is being violated.
- **Please cease the occupancy of this structure immediately.**
 - **Please provide updated building permit materials and pay associated fees.** Inspections must be completed and a Certificate of Occupancy issued before occupying this structure. Please contact Tom Davis, Building Official, to discuss the specifics of this process.
 - **Please submit an updated floodplain permit.** This must include an Elevation Certificate, completed by registered Professional Engineer or Professional Land Surveyor licensed in Idaho and flood vent specifications.
 - **Please provide exact measurements for the square footage of the manufactured home and the new dwelling to the Planning Department to determine if the Accessory Dwelling Unit size restriction is being met.**

3. Two, Detached Sleeping Units.

Building Violations

- a. These units have not been issued a building permit or inspected.
 - ii. This will be difficult as the foundation rebar and the framing are not exposed for inspection.
- b. A building permit fee will apply.
- c. Teton County also has a fee for Work Commencing without a Permit, which is calculated at 25% of the permit cost.
- d. These units do not have a Certificate of Occupancy and may not be occupied.

Floodplain Violations

- a. These units have not been issued a Floodplain Development Permit.
- b. A floodplain permit and an Elevation Certificate are required.
 - i. Title 12, Article V(K)(4) states “the lowest floor of the lowest enclosed area (including basement or crawlspace) elevated no less than two feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movement of flood waters shall

be provided in accordance with the construction standards in Articles V(B) and (C).”

- c. If these structures are converted back to storage sheds, they could be considered Accessory Structures because they are under 200 ft². Relief from the elevation or dry-flood-proofing standards may be granted if it meets the standards in Title 12 V(D).

Zoning Violations

- a. These units may be considered a Campground, which requires a Conditional Use Permit. Teton County Title 8 defines a campground as:
 - i. CAMPGROUND, RV PARK OR TRAVEL TRAILER CAMP: A parcel of land under single, unified ownership or control, within which spaces are rented or used by the ownership for occupancy by two (2) or more recreational vehicles and may include tent sites, cabin sites, or travel trailer sites for nightly or short-term rental.
- b. If these units are considered detached, sleeping units, they may only be used for personal use.

- **Please cease the occupancy of these structures immediately.** Inspections must be completed and a Certificate of Occupancy issued before occupying this structure. Please contact Tom Davis, Building Official, to discuss the specifics of this process.
- **Submit Building Permit application materials and pay associated fees.** If you do not wish to continue using these structures as sleeping units, they may be converted back to storage sheds without a building permit because they are under 200 ft².
- **Submit Floodplain Development Permit application materials and pay associated fees.** This must include an Elevation Certificate, completed by registered Professional Engineer or Professional Land Surveyor licensed in Idaho and flood vent specifications. If these structures are converted to storage only, the permit must reflect the standards identified in Title 12 V(D). The floodplain permit fee is \$35

4. Mobile Sleeping Unit (on wheels).

Building Violations

- a. This unit is considered a Temporary Structure, in which case it may only be permitted for 180 days.
 - ii. This structure was documented on the property on 6/9/2016 and 9/11/2016. It is also shown on Google Earth imagery from 10/7/2014, so it has been used for more than 180 days.

Floodplain Violations

- a. This structure has not received a Floodplain Development Permit.
- b. This structure could be considered a Recreational Vehicle, in which case it must either:
 - i. Be on the site for fewer than 10 consecutive days;

- ii. Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached structures or addition, or
- iii. The recreational vehicle must meet all the requirements for “New Construction”, including the anchoring and elevation requirements.

Zoning Violations

- a. This unit is considered a Temporary Structure, which requires a Temporary Use Permit (application fee of \$75).
 - b. Teton County requires a 50’ setback from streams and creeks.
 - iv. This structure is located approximately 30’ from the creek.
- **Please remove this structure immediately.** If you wish to keep this structure, it must be converted into a permanent structure, which will require a Building Permit and Floodplain Development Permit. This structure will also have to be relocated to meet the required setbacks. The same requirements would apply to this structure as the two, detached sleeping units mentioned above.

5. Other Development

Floodplain Violations (None of the following types of development received a floodplain development permit.)

- a. Driveway
 - i. The Access Permit that was issued in 2006 also states that vegetation was removed and a culvert put in.
 - ii. This size of the driveway has significantly increased in the last few years.
- b. Beach Area
 - i. A beach area was constructed along the streambank.
 - ii. Stream Alterations also require permits from the Idaho Department of Water Resources (IDWR) and the US Army Corps of Engineers.
- c. Bridge
 - i. A bridge was built across the creek.
 - ii. Stream Alterations also require permits from the IDWR and the US Army Corps of Engineers.
- d. Fence
 - i. A fence was built on the northern side of the structures.
 - ii. A fence was built on the southern side of the structures.
- e. Vegetation Removal
 - i. As required by the 2006 access permit, and as shown on historic aerial imagery, vegetation has been removed within the floodplain and along the creek banks.
 - ii. It is unclear exactly how much vegetation has been removed.

- a. Title 12 V(B)(11) states that “Removal of greater than 35% of woody vegetative cover shall not decrease the stability of the stream banks. A professional engineer, certified floodplain manager or fluvial morphologist shall demonstrate that the vegetation removal will not destabilize stream banks or increase erosion potential on the floodplain.”
 - f. Above ground propane tank
 - i. This tank must be anchored to the ground to prevent flotation.
 - g. Well
 - i. A well was drilled without a Floodplain Development Permit.
 - ii. It is unclear where the well is located, so there may also be other concerns such as setbacks.
 - h. Septic System
 - i. A septic tank was installed without a Floodplain Development Permit.
 - ii. It is unclear where the septic tank is located, so there may also be other concerns such as setbacks.
 - iii. A septic permit will be required for the building permits mentioned above.
 - iv. The additional sleeping units and dwelling may also be an issue with the size of your septic tank. The 2006 septic permit says the septic tank is 900 gallons.
- **Submit Floodplain Development Permit application materials and pay associated fees.** This must include a No Rise Certification by a licensed, professional engineer in Idaho because there are encroachments within 50’ of the ordinary high water mark. If there is a rise in flood levels, a Letter of Map Revision will be required.
 - Title 12, Article V(K)(2) states that “No encroachments, including structures or fill, shall be located within an area equal to the width of the stream or fifty feet, whichever is greater, measured from the ordinary high water mark, unless certification by a licensed professional engineer documents that the encroachment will not result in any increase in flood levels during the base flood.”
- **If it is determined that more than 35% of vegetation was removed, it must be demonstrated that the removal will not destabilize stream banks or increase erosion potential on the floodplain.**
- **Contact IDWR and Eastern Idaho Public Health to ensure compliance with well and septic rules.**
- **Contact IDWR and the US Army Corps of Engineers to ensure compliance with stream alteration rules.**

A copy of all Teton County ordinances are available on the Teton County, ID website, under Code & Policies, County Code. You may also obtain a copy of the permit application on the County website

under Forms, Planning & Zoning Department and Forms, Building Department. You may also review the ordinances and obtain permit applications in the Planning and Building offices.

Please be advised that violations of the Teton County Code may result in financial penalties, as well as jail time. Each day a violation continues may also be considered a separate offense (Title 1-4-1, Title 12-VII).

If you have any questions or concerns about these violations, please feel free to contact me.

Sincerely,



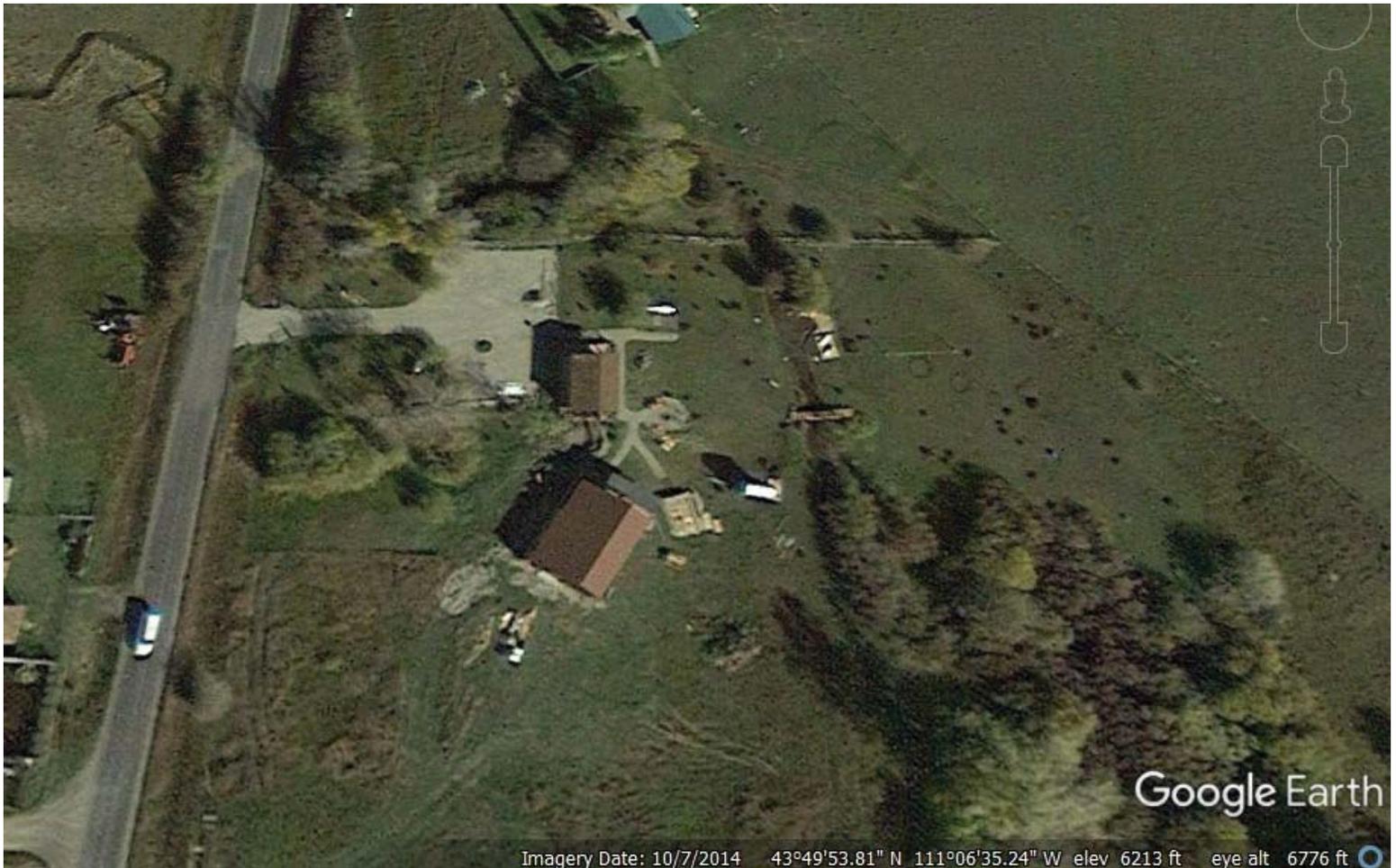
Kristin Owen
Planning & Floodplain Administrator

attach: Aerial Images of property (2016, 2014, 2013)
Site Photos (6/9/2016)
Site Photos (8/22/2016)

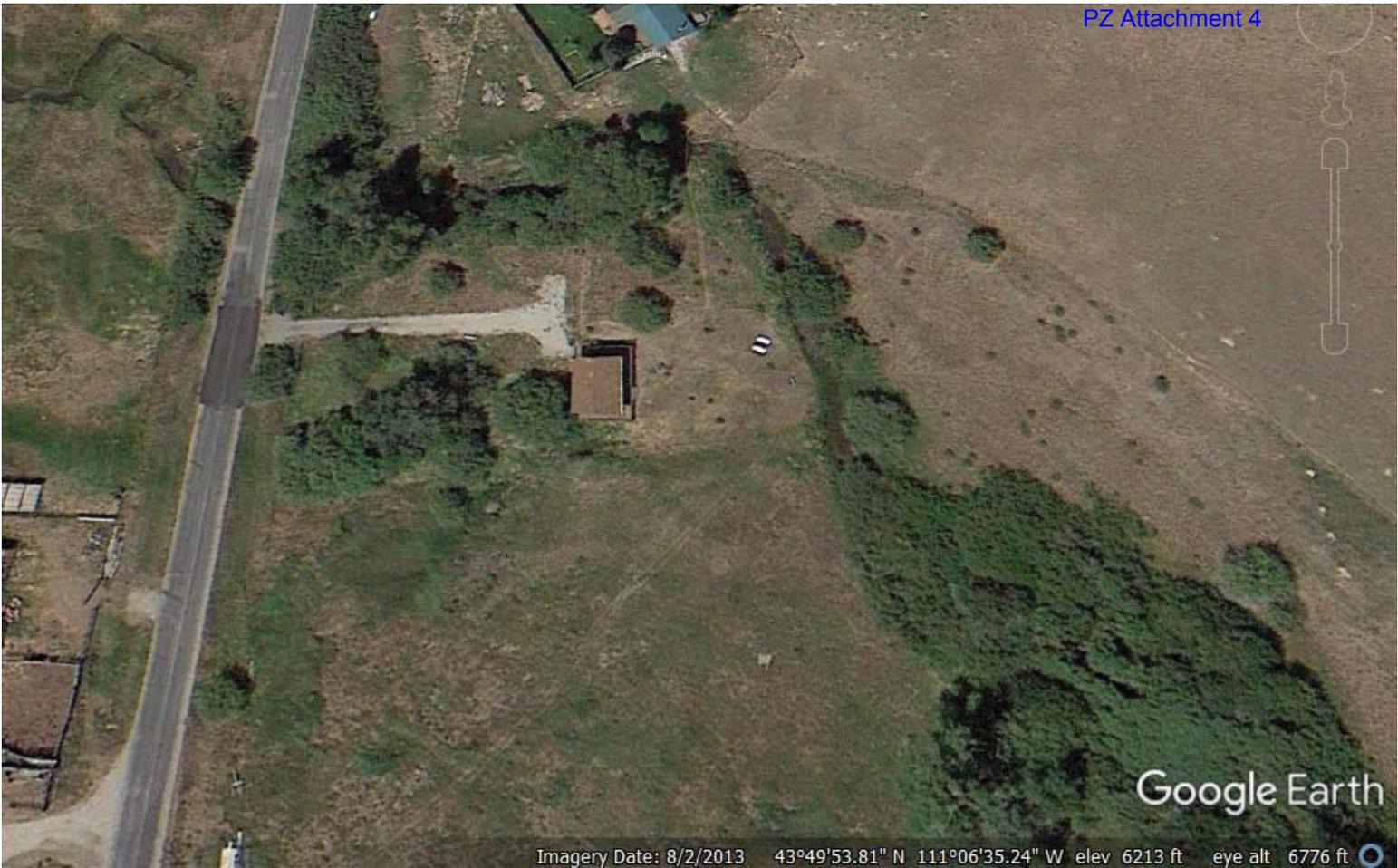
cc: Kathy Spitzer, Teton County Prosecuting Attorney
Tom Davis, Teton County Building Official
Mike Dronen, Eastern Idaho Public Health
Dennis Dunn, Idaho Department of Water Resources
Kerrie Mathews, Idaho Department of Water Resources
Robert Brochu, US Army Corps of Engineers
Maureen O'Shea, Idaho Department of Water Resources



Imagery Date: 7/19/2016 43°49'53.81" N 111°06'35.24" W elev 6213 ft eye alt 6776 ft



Imagery Date: 10/7/2014 43°49'53.81" N 111°06'35.24" W elev 6213 ft eye alt 6776 ft



Imagery Date: 8/2/2013 43°49'53.81" N 111°06'35.24" W elev 6213 ft eye alt 6776 ft 















FROM: Wendy Danielson, Building Manager
TO: Board of County Commissioners
RE: Building Department Update
MEETING: November 14, 2016

The following items are for your review and discussion.

Building Permit Reports:

We issued 20 permits in October. Of those, 7 were for new homes. As of now (Friday 11/4) I have 11 applications pending and 9 of them are for new homes. I expect that things will start to slow down soon but I have already had inquiries about projects that will start in the spring.

Code Compliance:

A success story for a change:

Based in information I received from Road & Bridge, Tom looked into a potentially unpermitted construction project in the north end of the county. He found that, in addition to an access being put in without permission from R&B, there was a barn under construction without a permit. Tom red tagged the project. Within a few days, the owner had contacted R&B and come in to our office to work on the necessary permits with both departments.

Continuing Education:

The dates and agenda for the annual IDABO Education Institute have been released. It will be held January 23 – 27 in Boise. Tom and I both usually attend. I'll provide more information when the dates get closer.



Permit Report

10/01/2016 - 10/31/2016

Permit Number	Permit Date	Permit Type	Owner Name	Work Type	Use Type	Job Description	Total Valuation	Permit Fees	Impact Fees
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Group: Agricultural Exemption

16-1031-152	10/31/2016	Agricultural Exemption	BUSH, JAMES W FAMILY TRUST-	New	Agricultural Only	HAY SHED	13,000	\$40.00	
							13,000	\$40.00	

Group Total: 1

Group : Carport/Covered Deck

16-1012-142	10/12/2016	Carport/Covered Deck	GUNDERSON, JANSEN	New	Other	COVERED PATIO	7,590	\$150.00	
							7,590	\$150.00	

Group Total: 1

Group: Garage / Barn with Foundation

16-1020-147	10/20/2016	Garage/Barn w/ Foundation	DUFFICY, JAMES J	New	Garage	DETACHED GARAGE	72,000	\$525.60	
16-1013-145	10/13/2016	Garage/Barn w/ Foundation	STATEN, ED	New	Garage	DETACHED GARAGE	26,880	\$250.00	
16-1006-137	10/6/2016	Garage Barn w/ Foundation	SANCHEZ, STACI	New	Garage	DETACHED GARAGE	33,600	\$250.00	
16-1006-135	10/6/2016	Garage/Barn w/ Foundation	JENSEN, ALAN E	New	Garage	DETACHED GARAGE	51,840	\$378.43	
							184,320	\$1,404.03	

Group Total: 4

Group: Mechanical

16-1007-139	10/7/2016	Mechanical	CISCO, CHRISTIAN	New	Single Family Dw	GAS FURNACE	0	\$50.00
							0	\$50.00

Group Total: 1

Group: Residential

16-1024-151	10/24/2016	Residential	LANG, CORBIN	Addition	Single Family Dw	ADDITION TO EXISTING SFD & GARAGE	160,196	\$1,219.43	
16-1020-149	10/20/2016	Residential	DOWNARD, CODY	New	Single Family Dw	SINGLE FAMILY DWELLING W/ DETACHED GARAGE	205,380	\$1,599.28	\$ 2,005.96
16-1020-148	10/20/2016	Residential	DECKER, JEFFREY W	New	Single Family Dw	SINGLE FAMILY DW/ DETACHED GARAGE	214,831	\$1,618.27	\$ 2,005.96
16-1020-146	10/20/2016	Residential	MOEN, CHRISTOPHER	Remdl	Single Family Dw	REMODEL EXISTING BARN INTO LIVING QUARTERS	146,664	\$820.65	\$ 2,005.96
16-1013-144	10/13/2016	Residential	MARLAR, NICKOLAS B	New	Single Family Dw	SINGLE FAMILY DW W/ ATTACHED GARAGE	290,809	\$2,222.91	\$ 2,005.96

16-1012-143	10/12/2016	Residential	ZOHNER, GARY D FAMILY TRUST	New	Single Family Dwelling	ADDING LIVING QUARTERS ABOVE EXISTING BARN	175,392	\$1,030.36	\$ 2,005.96
16-1007-140	10/7/2016	Residential	COOKE, BRETT	New	Single Family Dw	SINGLE FAMILY DW W/ ATTACHED GARAGE	388,840	\$2,888.53	
16-1006-134	10/6/2016	Residential	BARTELL, JACK	New		DETACHED STRUCTURE (SLEEPING UNIT ONLY)	80,448	\$587.27	\$ 2,005.96
15-0929-124	Converted 10/6/2016	Residential	ROCHE, MERRICK	Remdl	Single Family DW	CONVERT SHOP TO RESEDENCE	227,600	\$1,072.80	
							1,662,560	\$13,059.50	\$ 14,041.72

Group Total: 9

Group: Shed/Pole Barn

16-1020-150	10/20/2016	Shed/Pole Barn	BRODZINSKI, MATTHEW H	New	Garage/Shop	POLE BARN /SHOP	20,700	\$151.11
16-1007-141	10/7/2016	Shed/Pole Barn	WILCOX, HARLEY	New	Shed - Hay	HAY SHED	12,880	\$150.00
16-1006-138	10/6/2016	Shed/Pole Barn	KIRSCHER, ABBE	New	Shed - Hay	HORSE BARN /HAY SHED	11,040	\$150.00
16-1006-136	10/6/2016	Shed/Pole Barn	ROBBINS, VIRGINIA	New	Shed - Hay	HAY STORAGE & GOAT FEEDING	22,080	\$161.19
							66,700	\$612.30

Total new home valuation = \$1,649,516

Group Total 4

							1,934,170	\$15,315.83
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Total permits issued: 20

Total Residential Impact Fees: (7) = \$14,041.72

11/2/2016

Building Department Fiscal Year 2017

	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	YTD
Single Family Dwellings	7												7
Commercial	0												0
Other Structures	11												11
Misc. permits	2												2
Total Permits	20	0	20										
Re-activation / extension													0
Total Impact Fees	\$14,041.72												\$14,041.72
Total Permit Fees	\$13,059.50												\$13,059.50

Single Family Dwellings includes setting permits for manufactured homes

Other Structures = replacement of SFD w/out impact fee, garages, sheds, barns, carports, Ag

Misc. = mechanical, additions, remodels, foundation

11/2/2016



Teton County

Emergency Management & Mosquito Abatement & IT

Department Report 10/9-11/8/2016



Current Projects

We have finished the wireless link to the Driggs Public Works building so that we can reduce our phone and internet bill. We now need to procure the needed phones, phone system licenses and then transfer their phone lines to our system in order to begin saving about \$150/month. We have also finished the wireless link to the public safety communications facility on Relay Ridge and installed a temperature sensor and a camera. This will allow us to be able to better monitor the site, and even remotely reprogram the Search and Rescue repeater there.

We are currently programming the device that will allow us to switch to SIP trunks for our phone system. We should finish up this project in the next 30 days and will then be able to save about \$200 to \$300 per month on our phone bill.

We have offered the part time Emergency Management Technician position to an individual from Colorado who will begin work on November 21st. However, there is no office space that is available for them to work out of at the LEC. Because of this I propose that John, the new part time EM Tech, and myself move to the Armory and utilize the front two offices. This will allow us to be able to coordinate more easily and have the room to spread out when we are building workstations or other projects. It will also allow for easier maintenance on the Emergency Management resources that are there and have people in the building full time to care for it. John's office would then be able to be utilized by the Sheriff's Office for their admin specialist. I propose that my current office be used for EM and IT storage for the next year or two when we will be able to make a decision on whether or not to have the part time EM Tech return to the LEC. I have discussed this with both Search & Rescue and the Sheriff's Office and both are in favor of it. May we proceed with this?

Sven is working on the new parks and rec website and in order to be able to register it as a .gov domain we have to have a letter with the commission chair's signature on it. I have attached one to this report, will you sign it?

Future Projects

We will be setting up the new Storage Area Network for the LEC on the week of November 14th.

We have proceeded with the Google contract and will proceed with the transition within the next few weeks and will schedule employee training once we have everything lined out with Google. We will also have online tutorials available for our staff.

Future Appointments

- | | |
|----------|--|
| 11/11 | Nimble SAN training in Salt Lake |
| 11/17-18 | LEC SAN installation |
| 11/29 | Employee Committee Meeting 1PM |
| 12/5 | Supervisor Training in IF |
| 12/6 | Teton County Response Agency Committee/LEPC Meeting 2:30 to 5 PM |



Board of County Commissioners

11/4/2016

To Whom it may concern:

I Bill Leake, serving as the Teton County Idaho Chair of the Board of County Commissioners, which is the highest ranking official for the County, hereby request the domain of tetonparksandrec.gov. This domain will be utilized to provide information to the public regarding the parks and recreation opportunities in the County. The domain is consistent with the County's internet policies. The Administrative Point of Contact will be Greg Adams the County IT Administrator. His contact information is 150 Courthouse Drive, Driggs, ID 83422, 208-354-2703 gadams@co.teton.id.us. We will pay the annual registration fee prior to the due date.

Bill Leake
Teton County Board of County Commission Chairperson



208-354-8780
FAX: 208-354-8410

Teton County Clerk

150 Courthouse Drive #208
Driggs, Idaho 83422

November 10, 2016

TO: Commissioners
FROM: Clerk
SUBJECT: Election Canvass

Idaho Code 34-12 requires the County Commissioners, acting as the County Board of Canvassers, to certify the results within 10 days of a general election. This makes the results final and marks the start of the 20-day time period during which a recount may be requested.

The November 8 election results are attached for your information. Please make a motion similar to the following:

I make a motion that the Board of Canvassers hereby certifies the results of the November 8, 2016 General Election as shown in the Election Abstract prepared by the Clerk.

Teton County Ambulance Service District Minutes: October 24, 2016

Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho

AGENDA

1. Approve Available Minutes
2. Ambulance System Quarterly Report from TVHC
3. Award Ambulance Bid
4. MOU with TVHC and ASD for Unemployment Payments
5. Ambulance Ownership
6. Fire/ASD Agreement for Services October 1, 2017 and Beyond
7. Idaho Department of Health & Welfare Grant for Air Transport Spine Boards

COMMISSIONERS PRESENT: Bill Leake, Cindy Riegel, Kelly Park

OTHER ELECTED OFFICIALS PRESENT: Clerk Mary Lou Hansen, Prosecutor Kathy Spitzer

FIRE DISTRICT PERSONNEL PRESENT: None

TETON VALLY HEALTH CARE PERSONNEL PRESENT: CFO Wesley White

Chairman Leake called the meeting to order at 12:08 pm.

● **MOTION.** Commissioner Park made a motion to approve the October 12 minutes as written. Motion seconded by Commissioner Riegel and carried unanimously.

The Board reviewed the hospital's final Ambulance System Quarterly reports (Attachment #1).

● **MOTION.** Commissioner Park made a motion to accept the \$165,542 bid from Braun Northwest for a new ambulance. Motion seconded by Commissioner Riegel and carried unanimously.

● **MOTION.** Commissioner Riegel made a motion to approve the Memorandum of Understanding with Teton Valley Health Care for payment of unemployment benefits. Motion seconded by Commissioner Park and carried unanimously. (Attachment #2)

AMBULANCE OWNERSHIP & CONTRACT WITH FIRE DISTRICT. Commissioner Riegel said she had reviewed the minutes during which the future operation of the ambulance system was discussed. She has found several references to the fact that the Fire District would be responsible for all operational and maintenance costs of the ambulances, but no commitment that the ASD would transfer titles to the Fire District. Commissioner Riegel believes the ASD should retain ownership until the District is dissolved. The Board agreed that the conditions made and recorded in the May 16, 2016 ASD minutes under the Board's motion and Fire District's Option D should be incorporated in the contract.

Chairman Leake said the Board should consider new or otherwise pertinent information relative to any items agreed to on May 16 in order to ensure that the new arrangement for ambulance services delivered by the Fire District is executed in the most efficient and effective manner practical. For example, he pointed out that the Board had already agreed, per Dr. Whipple's suggestion, that the EMS Advisory Committee should be appointed by the Fire District, not the Ambulance District.

Prosecutor Spitzer will prepare a draft contract by November 7 so that it can be thoroughly reviewed prior to the next meeting set for 1:00 pm November 14.

● **MOTION.** At 1:18 pm Chairman Leake made a motion to adjourn the meeting and reconvene as the Board of County Commissioners. Motion seconded by Commissioner Park and carried.

Bill Leake, Chairman

ATTEST:

Mary Lou Hansen, Clerk

Attachment #1 Ambulance System Quarterly Reports for 1st and 2nd Quarter FY 2016
#2 MOU for payment of Unemployment Benefits

From: Cramer, John
To: [Holly Wolgamott](mailto:hwolgamott@co.teton.id.us)
Subject: RE: EMS Grant for the spine boards
Date: Wednesday, November 02, 2016 3:10:49 PM

Good Afternoon Holly,

There are no constraints whatsoever. The ASD purchased the equipment and it is the District's to utilize as they see fit.

It is regrettable, that circumstances and timing created such a problem this year and hopefully next year it will go much more smoothly. Please keep in mind that the Dedicated III Fund is available to licensed EMS agencies (or agencies with license applications submitted but not issued).

Thank you.

Respectfully,

John Cramer,

"Let's be careful out there"

Idaho Department of Health and Welfare;
Division of Public Health,
Bureau of Emergency Medical Services & Preparedness
2224 E. Old Penitentiary Road
Boise, Idaho 83712-8249

(877) 554-3367, (208) 334-4000

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From: Holly Wolgamott [mailto:hwolgamott@co.teton.id.us]
Sent: Wednesday, November 02, 2016 2:28 PM
To: Wesley White; Cramer, John
Cc: Keith Gnagey
Subject: RE: EMS Grant for the spine boards

Hello John,

I represent the Ambulance Service District and was asked to contact you regarding the spine boards that were to be funded by a grant from Idaho Department of Health and Welfare. As I understand, the grant has been denied as indicated below. The ASD however has already purchased the spine

boards and though we understand that reimbursement is not possible, we are hoping that we can keep the spine boards as purchased with our own funds. Were the spine boards subsidized in any way or are there any reasons why we could not keep them?

Thank you for your time and input.

Holly S. Wolgamott

County Executive Assistant/Risk Manager/PIO
150 Courthouse Dr.
Driggs, ID 83422
208.354.8775



From: Wesley White [<mailto:WWhite@tvhcare.org>]
Sent: Monday, October 24, 2016 4:40 PM
To: CramerJ@dhw.idaho.gov
Cc: Holly Wolgamott <hwolgamott@co.teton.id.us>; Keith Gnagey <KGnagey@tvhcare.org>
Subject: EMS Grant for the spine boards

Dear John,

These two emails were shared with the ASD by Bret for the meeting today. Bret and no one from the fire district was in attendance since Bret is at a wildland fire in Colorado.

Pat Butts our grant writer told me you had spoken to her regarding the denial of the grant to TVHC and the ASD. Do you need the hospital to send you an email or letter to rescinding the grant for your records?

A representative from the ASD will be contacting you for clarification regarding what to do with the spine boards purchased by the fire district in anticipation of funding from the State EMS grant.

Wes

From: Bret Campbell
To: "Cramer, John"
Cc: "Denny, Wayne A."; Holly Wolgamott

Subject: RE: Grant Inquiry
Date: Wednesday, October 19, 2016 11:57:52 AM
Attachments: [image002.png](#)

John,

I copy your message. We are governed by rules for a reason. I appreciate you looking into this for our county commissioners. The Fire District will apply for a grant next year. Sure wish the hospital would have completed the applications as the agreed to with the County.

Best regards,

Bret

Bret Campbell

Fire Chief

Teton County Fire & Rescue

O – 208-715-5201

From:

From: Cramer, John [mailto:]

Sent: Wednesday, October 19, 2016 9:14 AM

To: 'Bret Campbell' <bcampbell@tetoncountyfire.com>

Cc: Denny, Wayne A. <DennyW@dhw.idaho.gov>

Subject: Grant Inquiry

Good Morning Chief,

I apologize for not getting back with you yesterday, but my afternoon rapidly evaporated on me. I did discuss the situation with Wayne and after working through the scenario the feeling was that to alter the process as you suggested would contrary to the criteria set forth in law (I.C. §56-1018B and I.D.A.P.A. 16.02.04) with regard to a request from a non-licensed entity (Ambulance Service District) or from the perspective that Teton County Fire Protection District did not apply for an equipment grant. We certainly empathize with the dilemma and timing in the transition experienced in Teton County, but are limited by the criteria and constraints in Idaho Code as it relates to the EMS Account III Grant Fund.

NOTICE: THIS ELECTRONIC MESSAGE TRANSMISSION CONTAINS INFORMATION WHICH MAY BE CONFIDENTIAL OR PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) OR ENTITY(IES) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS ELECTRONIC TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER AND DELETE THE COPY YOU RECEIVED.

Board of Teton County Commissioners

MINUTES: October 24, 2016

Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho

AGENDA

9:00 MEETING CALL TO ORDER – Bill Leake, Chair
Amendments to Agenda

9:15 EASTERN IDAHO PUBLIC HEALTH – Geri Rackow

1. Annual Report

9:30 OPEN MIC (*if speakers present*)

9:45 TETON REGIONAL ECONOMIC COALITION –
Brian McDermott

1. Quarterly Report

10:00 HOUSING PROGRAM STUDY REPORT

1. Interagency Agreement
2. Update from Driggs Community Development Director Doug Self

PUBLIC WORKS – Darryl Johnson

1. Solid Waste
 - a. Approval of Transfer Station Laborer Hiring at 90% of Market Rate
 - b. Solid Waste Supervisor Weekly Schedule
 - c. Approval of Tipping Bucket for Landfill Cap
2. Road & Bridge
 - a. W7000S Overlay Update
 - b. Innovative Bridge Construction Workshop
3. Engineering
 - a. W6000S Fox Creek Re-Alignment Mitigation
 - b. Packsaddle Road Vacation
4. Facilities
 - a. Rental Housing Policy

GIS – Rob Marin

1. New Aerial Imagery
2. Completion of Greenwood Mapping Parcel Rectification Contract

PLANNING – Kristin Owen

1. Approval of Nutrient Pathogen Waiver for Ross Meadow Subdivision
2. Land Use Development Code Update
3. Senior Planner Position

CLERK – Mary Lou Hansen

1. Quarterly Financial Reports
2. Remaining Cash Report
3. Dispatch Contract
4. Policy Review and Update
5. Draft Agenda for December 8th Employee Meeting
6. Election Update
7. Bonneville County Contract for Public Defender

12:00 AMBULANCE SERVICE DISTRICT

1. Approval of Available Minutes
2. Ambulance System Quarterly Report from TVHC
3. Award Ambulance Bid
4. MOU – ASD and TVHC for Unemployment Payments
5. Ambulance Ownership
6. ID Department of Health and Welfare Grant – Air Transport Spine Boards

2:00 AMERICAN INSURANCE, Travis Argyle

3:00 FAIRBOARD – **Katie Salsbury**

1. Increase in Board Members
2. Staff Reorganization

YIELD TAX CANCELLATION – Beverly Palm

ADMINISTRATIVE BUSINESS (*will be dealt with as time permits*)

1. Approve Available Minutes
2. Other Business
 - a. Certificates of Residency
 - b. Executive Assistant Report
 - c. Draft Land Use Code Review Discussion
 - d. Teton and Fremont Counties Joint Letter on Managing/Hunting Grizzly Bears
 - e. Beer & Wine licenses
3. Committee Reports
4. Claims
5. Executive Session as needed per IC74-206(1)

ADJOURNMENT

COMMISSIONERS PRESENT: Bill Leake, Kelly Park, Cindy Riegel

OTHER ELECTED OFFICIALS PRESENT: Prosecutor Kathy Spitzer, Clerk Mary Lou Hansen

Chairman Leake called the meeting to order at 9:05 am and led the Pledge of Allegiance.

EASTERN IDAHO PUBLIC HEALTH

Director Geri Rackow reviewed her agency's FY 2016 annual report (Attachment #1). She said employee retention continues to be a challenge, along with rapidly increasing costs for employee health insurance. She encouraged the Board to participate on the regional Behavioral Health Board, which serves a 10-county region.

OPEN MIC

No one present wished to speak.

TETON REGIONAL ECONOMIC COALITION

Director Brian McDermott reviewed his quarterly report. The organization is fiscally solvent and recently hired an program manager. The merger of the Chamber and Business Development Center has been interesting; the new organization plans to replace Chamber memberships with sponsorships in order to raise needed funds. Mr. McDermott said retail businesses enjoyed a very good summer and Grand Targhee Resort experienced record-breaking winter and summer seasons this year. The Geotourism Center raised over \$13,000 during the Tin Cup Challenge. He thanked the Board for the County's \$35,000 contribution in exchange for TREC's contractual obligation to implement the County's Economic Development Plan.

HOUSING PROGRAM GOALS & OBJECTIVES REPORT

Navigate Consultants has completed their final report with specific actions recommended in order to implement an affordable housing program in Teton County. Driggs Community Development Director Doug Self reviewed a memo with suggested timelines for the first six months of recommended action items (Attachment #2). He said the City hopes to implement a pilot Cooperative Housing Project in the Gemstone Subdivision.

PUBLIC WORKS

Director Darryl Johnson reviewed his bi-monthly update memo (Attachment #3) and the memo prepared by Solid Waste Supervisor Saul Varela (Attachment #4).

SOLID WASTE. The transfer station facilities were recently inspected by Eastern Idaho Public Health and Idaho Department of Environmental Quality; no concerns were identified. Mr. Varela's report showed a total of 2,145 tons of waste diverted from the waste stream with \$163,051 in landfill savings.

Clerk Hansen said this does not mean there is an extra \$163,051 in the County's bank account, but that \$163,051 would have been paid by users if 2,145 tons had been sent to the Jefferson County landfill. In that case, higher tipping fees would have been collected to cover the additional hauling and tipping costs. Much lower fees are charged for diverted materials.

● **MOTION.** Commissioner Park made a motion to approve hiring Marcus Klebesadel for the Solid Waste Laborer position at 90% of the market rate. Motion seconded by Commissioner Riegel and carried unanimously.

● **MOTION.** Commissioner Park made a motion to approve purchase of a \$2,136 tipping bucket assembly for the landfill cap test paid. Motion seconded by Commissioner Rinaldi and carried unanimously.

ENGINEERING. The Board discussed the delay of the W600S reconstruction project if the County waits until NRCS engineering assistance is available. They decided to have Adler Engineering complete the Fox Creek re-alignment design as originally contracted so that construction could begin in 2017.

BATES RIVER PROPERTY CABIN. The Board approved Mr. Johnson's recommendation to modify the policy obtained from Jackson, Wyoming and move forward with rental of the cabin.

PACKSADDLE ROAD HEARING will continue October 31. Mr. Johnson said a problem has arisen regarding access to two parcels if the existing road is vacated. Although the parcel owners support the new road, the new road leaves their property landlocked. Mr. Horton believes the landlocked parcel owners could purchase an easement for \$50,000 from their neighbor. The County cannot require the landlocked parcel owners to purchase land required to provide access to their properties from the new road. Prosecutor Spitzer said Idaho Code 40-203(2) does not allow the County to vacate a road that results in eliminating access. Negotiations are ongoing, but no final documents have been agreed to.

GIS

Manager Rob Marin reviewed his written report (Attachment #5). New aerial imagery of the County was acquired September 11, 2016 at a cost of \$15,200. The Board agreed with Mr. Marin's recommendation that the County budget for updated imagery every two years.

The four-year parcel rectification project has been completed and resulted in a significant improvement of parcel alignment and data. The final report prepared by Greenwood Mapping (Attachment #6) summarized their efforts, highlighted unresolved parcel issues, and identified problem areas and discrepancies requiring further research by the Assessor's office. Mr. Marin said many of the problems are common in rural areas transitioning to modern GIS systems.

PLANNING

Administrator Kristin Owen reviewed her update memo (Attachment #7).

DRAFT DEVELOPMENT CODE. Ms. Owen said the Planning & Zoning Commission voted to request a new, redlined version of the draft code, which she hopes to complete by the end of November. After the redlined document is available, the PZC will schedule a work session to review the changes. Once they are satisfied with the changes, the PZC will notice and hold a public hearing prior to making a recommendation to the Board. Ms. Owen said January 10 would be the earliest possible date for a PZC public hearing. The Board asked Ms. Owen to try to find a subcontractor to help redline the draft document. She will post a list of the changes being made on the County website.

Chairman Leake said he would like to see an itemized list of every comment received and its disposition. Commissioner Riegel did not think such a list necessary because the process requires the PZC to address the comments they receive prior to making a recommendation to the Board. After the Board receives the PZC recommendation, they will hold a public hearing and respond to comments before making a decision. Ms. Owen will prepare the list.

NUTRIENT PATHOGEN (NP) WAIVER FOR ROSS MEADOW SUBDIVISION. The Board discussed the request as described in Ms. Owen's report and in Cleon Ross's written request (Attachment #8). The PZC recommended approving the waiver with three conditions: (1) collect ground water samples and test for total nitrates/nitrites; (2) use advanced septic systems; (3) set building envelopes away from Trail Creek. The Board had questions about what criteria should be used to determine the appropriateness of an NP waiver and the basis for the three conditions recommended by the PZC. Ms. Owen said the County's Technical Reviewer, Jennifer Zung of Harmony Design, recommended that the waiver not be approved unless the applicant could show that Trail Creek was not hydraulically connected to any shallow or perched groundwater that could be contaminated by proposed leach fields. Ms. Owen believes this the first NP waiver ever requested.

She said a Level 1 NP evaluation is required if one of five possible conditions exist. Only one of the possible conditions exist for the Ross Meadow Subdivision: it is partially within the Wetlands and Waterways Overlay Area. The Board wondered about the cost of the PZC conditions as compared to the cost of a NP study. They considered whether to approve a waiver if all buildings were located a specified distance away from Trail Creek, perhaps 300' or 400'. The Board postponed a decision until they could learn more from Ms. Zung.

Ms. Zung was present later in the meeting. She said the NP study requirement is intended to protect water quality by preventing nitrates from entering surface water after being discharged from a leach field. She explained that standard septic systems do not treat nitrates very well, which means they could potentially contaminate nearby

waterways. Advanced septic systems employ dual treatment tanks and other techniques to break down nitrates more completely.

The Division of Environmental Quality has identified 300' as the distance that nitrates can travel; Ms. Zung said this number is somewhat arbitrary. She said the lack of a hydraulic connection could be determined fairly easily by digging a test pit near the creek to see if there were any indications of water. She estimated that a Level 1 NP study for this subdivision would cost about \$5,000 while an advanced septic system would cost \$15,000 and require annual maintenance by a licensed operator.

The Board agreed to discuss the matter again November 14.

AMBULANCE SERVICE DISTRICT

● **MOTION.** At 11:55 pm Chairman Leake made a motion to recess the Commissioner meeting and convene as the Teton County Ambulance Service District. Motion seconded by Commissioner Park and carried unanimously. (See Attachment #9 for draft minutes of the Ambulance Service District meeting.)

The Commissioner meeting resumed at 1:18 pm.

CLERK

The Board reviewed Clerk Hansen's written memo and financial reports (Attachment #10). She said the unexpectedly large FY 2016 General Fund budget balance was largely due to the difficulty of hiring patrol deputies and dispatchers and resulting unspent salary budgets. She pointed out the very large remaining cash balance in the General Fund and suggested it be used to purchase a new gravel pit or for other necessary capital improvements.

Prosecutor Spitzer agreed to contact her counterpart in Teton County Wyoming to discuss an update to the Dispatch Services agreement which expires December 31.

● **MOTION.** Chairman Leake made a motion to approve all changes proposed to the County's personnel and administrative policies as described in the Clerk's memo (Attachment #11). Motion seconded by Commissioner Park and carried unanimously.

● **MOTION.** Commissioner Riegel made a motion that County funds be spent in the following order, as recommended by Rudd & Company auditors: "Restricted" funds before "Committed" funds, "Committed" funds before "Assigned" funds, and "Assigned" funds before "Unassigned" funds. Motion seconded by Commissioner Park and carried unanimously.

ELECTION UPDATE. Clerk Hansen reported that early voting with absentee ballots had been very busy with 1,311 ballots issued to date. This matches the rate of early voting that occurred during the 2012 election when 50% of all votes were cast prior to Election Day.

BONNEVILLE COUNTY MOU. Clerk Hansen said the first payment request submitted by John Thomas for his time working as second chair Public Defender for Erik Ohlson in murder case CR-2016-327 identified problems with the Bonneville County MOU. Therefore, Bonneville County provided an updated MOU which has been signed by Chairman Leake (Attachment #12).

AMERICAN INSURANCE

Travis Argyle of American Insurance provided a sheet outlining renewal rates and options for the County's group health insurance (Attachment #13). He said three extremely large recent claims by County employees/dependents have caused Regence to propose a 2017 rate increase of 19.49%. As a result, Mr. Argyle requested "soft" quotes from Blue Cross and PacificSource. He has not heard back from Pacific Source.

Blue Cross submitted an option with premiums 9.06% higher than current. However, Mr. Argyle said the bid would not be firm until after Blue Cross could review detailed health history questionnaires completed by every employee. Mr. Argyle's experience is that "soft" quotes generally increase by at least 2-3% after the review. He expects that would be true for us, especially with the County's expensive claims history this year.

Mr. Argyle said Regence provided an Option II that would be identical to the current policy, except increase the \$5,000 deductible to \$6,000 and the physician co-pay from \$30/\$45 to \$40/\$55. The premiums quoted for this

option would be 14.07% higher. Mr. Argyle believes Regence would be willing to negotiate that renewal rate down to a 11-12% increase. He said a higher deductible would most likely result in additional expenses of \$18,000-\$25,000 for the Buy Down account, depending upon the health experiences of the County group during the coming year. The current total maximum out-of-pocket per person is \$6,350 and would be \$6,450 with Option II.

Clerk Hansen said the FY 2017 budget included a 6% allowance for increased premiums and the Buy Down Account Balance increased by almost \$25,000 during the past year. The September 30 balance was \$204,389 (Attachment #14). If the Regence Option II renewal rate was 12%, she suggested that employees pay 3% of the increase while the County budget and Buy Down account pay the rest.

The Board discussed the pros and cons of different approaches to the insurance renewal. They decided it would be best to stay with Regence. They assumed that most employees would prefer not to see a significant decrease in the amount of their take-home pay so would prefer the higher deductible option. The Buy Down Account would reimburse employees for 70% of their medical costs after they pay the first \$1,000 and before the Regence \$6,000 deductible threshold is met.

The Board asked Mr. Argyle to negotiate as low a premium increase as possible for Regence Option II. A final decision will be made November 28.

FAIR BOARD

President Katie Salsbury and Treasurer Patty Petersen were present. Ms. Salsbury said the Board would like to expand their size but understands they are limited to a maximum of seven Board members per State statute. Therefore, they will utilize committees in order to have enough volunteers to continue "growing" the annual County Fair. Since their Fairgrounds Administrator has resigned, the Fair Board would like to replace that position by paying Ms. Petersen. Prosecutor Spitzer said Idaho Code 22-205 states that the "fair board shall select and employ a competent secretary whom they shall vest with general managerial powers ..." Ms. Petersen could be a paid Secretary. If she were employed as secretary, another person could be added to the Board. Ms. Salsbury and Ms. Petersen agreed that Ms. Petersen should resign her Board position.

- **MOTION.** Chairman Leake made a motion to approve hiring Patty Petersen at 90% of pay grade 6. Motion seconded by Commissioner Park and carried unanimously.

FAIR BUILDING REMODEL & UPGRADE. Ms. Salsbury said they will receive a \$57,000 grant from the CHC Foundation. When that grant is added to funding available via the Recreation Impact Fee and Tin Cup donations, the Fair Board will have a total of \$101,000 to remodel the kitchen, office and restrooms at the fair building. They are currently advertising for bids with an October 28 deadline. Although the kitchen will be remodeled to commercial standards, they cannot receive a commercial license without a plan to connect to the city sewer. This will be the Fair Board's next priority and Ms. Salsbury asked the Board to earmark future Recreation Impact Fees for this project.

ADMINISTRATIVE

- **MOTION.** Commissioner Park made a motion to approve the minutes of October 12. Motion seconded by Commissioner Riegel and carried unanimously.

- **MOTION.** Commissioner Riegel made a motion to approve Certificates of Residency for Sydney Ricks, Brigham Harmon and Alta Neerings. Motion seconded by Commissioner Park and carried unanimously.

The Board reviewed the update report provided by Executive Assistant Holly Wolgamott (Attachment #15). They asked her to investigate the cost of plaques and brochures for the stairwell mural but to prioritize the plaques. Ms. Wolgamott said the Clerk, Public Works Director, Building Manager, and Planning Administrator have agreed to serve on the Accela implementation committee. The November e-newsletter will be published November 15.

- **MOTION.** Commissioner Park made a motion to cancel the delinquent Forest Yield taxes for RP06N44E191205A (\$1,043.70), RP05N43E250600A (\$138.87) and RP05N43E360010A (\$263.85) as requested by the Treasurer so the amounts can be applied to the November tax roll. Motion seconded by Commissioner Riegel and carried unanimously.

MANAGING/HUNTING GRIZZLY BEARS. The Board discussed a draft letter to the Director of the Idaho Department of Fish & Game intended to be signed by both Fremont and Teton County Commissioners. The letter was prepared by Commissioner Riegel after conversations with Kathy Rinaldi at the Greater Yellowstone Coalition and contains specific comments about any proposed rules for hunting Yellowstone grizzly bears in eastern Idaho. The letter draws specific attention to the current practice of bear baiting with non-natural food and trash and requests an expansion of setbacks from existing homes, roads, driveways, trails and landfills. A motion to approve the letter was withdrawn until the Board could learn whether Fremont County would support sending the letter. Later in the meeting it was learned that the Fremont County Commissioners did not wish to co-sign the letter, so Commissioner agreed to revise the document for future consideration.

COMMITTEE REPORTS. Commissioner Park said he had recently been contacted to learn if Teton was still interested in pursuing the possibility of purchasing a future landfill site in Clark County in partnership with Madison, Fremont and Clark Counties. Such a partnership would give Teton more control over operating costs but would not reduce the hauling distance.

REVIEW OF DRAFT LAND USE CODE. Commissioner Riegel said she would like to have an outside consultant review the PZC’s final recommended code for compliance with the Comprehensive Plan. The Board asked her to research the options for obtaining such a review.

● **MOTION.** Commissioner Park made a motion to approve the claims as presented. Motion seconded by Commissioner Riegel and carried unanimously.

General	34,002.16
Road & Bridge.....	8,026.15
Court & Probation	35,023.60
Court-Bonds	247.50
Elections-State.....	528.11
Revaluation.....	9,380.00
Solid Waste.....	13,157.21
Weeds	3,431.48
Road Levy	1,811.50
E911.....	7,238.05
Fairgrounds & Fair	750.38
TOTAL	\$113,596.14

● **MOTION.** At 4:34 pm, Commissioner Park made a motion to adjourn. Motion seconded by Commissioner Riegel and carried unanimously.

Bill Leake, Commissioner

ATTEST _____
Mary Lou Hansen, Clerk

- Attachments: #1 Eastern Idaho Public Health FY 2016 Annual Report
 #2 Affordable Housing memo from Doug Self
 #3 Solid Waste & Recycling Update
 #4 Public Works Update
 #5 GIS Update
 #6 Greenwood Mapping report about parcel project
 #7 Planning Department Update
 #8 Nutrient Pathogen Waiver Request for Ross Meadows Subdivision
 #9 Draft Minutes from October 24 Ambulance Service District meeting
 #10 Clerk’s Update
 #11 Changes to Several Personnel and Administrative Policies
 #12 MOU with Bonneville County for Public Defender Services for CR-2016-327
 #13 American Insurance Renewal Options for 2017
 #14 Buy Down Account balances
 #15 Executive Assistant Update

Board of Teton County Commissioners

MINUTES: October 31, 2016

Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho

9:00 MEETING CALLED TO ORDER – Bill Leake, Chair

CONTINUATION OF PUBLIC HEARING: Road Vacation/Abandonment/Addition Application originally held on June 13, 2016, continued to June 28, 2016, then to July 18, 2016, then to September 13, 2016 and then to October 31, 2016.

1. Staff Report, Public Works Director Darryl Johnson

The minutes from the public hearing will be released once the public hearing closes. It was continued to December 27, 2016 at 9:00 am.

12:05 MEETING CALLED TO ORDER – Bill Leake, Chair

ADMINISTRATIVE BUSINESS

1. Letter to Idaho Fish and Game: Managing/Hunting Grizzly Bears

Minor edits were suggested by Commissioner Park and Chairman Leake for the letter written by Commissioner Riegel.

● **MOTION.** Commissioner Riegel moved to approve the letter to Idaho Department of Fish and Game regarding the proposed rules of hunting and managing grizzly bears with a few minor edits. Commissioner Park seconded the motion and carried.

2. Armory Ownership

Chairman Leake reported on the meeting he and Prosecutor Spitzer attended with Captain James Anderson and Lieutenant Colonel Paul Boice of the Idaho National Guard regarding ownership of the armory building in Driggs. Teton County currently owns half of the armory building and the National Guard owns the other half. The National Guard recently had the armory building appraised which came in at \$600,000. Chairman Leake reported that the National Guard has no interest in retaining their portion of the building. They must first offer their half ownership to Federal & State Agencies before it can be offered to the County. If the county doesn't want it, it could then be sold at auction at a minimum of fair market value. If the County does want it, it could be purchased for approximately \$300,000.

Chairman Leake asked Public Works Director Darryl Johnson if the building would be suitable for the Teton County Road and Bridge Department. Mr. Johnson said it could work but that the Road and Bridge Department would not need all of the office space. Mr. Johnson felt that a more efficient location for a new Road and Bridge facility would be near the gravel pit and transfer station. Mr. Johnson also indicated that if Road and Bridge did move into the armory building that it would make sense to build a separate space for Teton County Search and Rescue that currently occupies the space.

Chairman Leake felt that they should look at all the options of future building needs for the County. Commissioner Park stated that the County should take advantage of buying the building because it is a great price and could be used for many needs in the future. Commissioner Riegel also agreed that it would be a worthwhile purchase.

● **MOTION**. Chairman Leake moved to notify the Idaho National Guard that Teton County is interested in buying them out of their portion of the armory building for half of the appraised value. Commissioner Riegel seconded. Motion carried.

3. Beer and Wine Licenses

● **MOTION**. Commissioner Riegel moved to approved the catering permit for Huarache Mexican Restaurant, LLC for November 5th from 2:00 pm – 12:00 am at the Teton County Fair Building. Commissioner Park seconded and carried.

4. Executive Session as needed per IC74-206(1)

No executive session was needed.

● **MOTION**. At 12:15pm Commissioner Park made a motion to adjourn. Motion seconded by Commissioner Riegel and carried.

Bill Leake, Commissioner

ATTEST _____
Mary Lou Hansen, Clerk

Attachments: #1 Public Works update

Certificates of Residency 2016 - 2017

Martinez

Ariel

CSI