

NOTICE OF PUBLIC HEARINGS
BEFORE THE LATAH COUNTY ZONING COMMISSION
Wednesday, April 6th, 2016, 5:30 pm

The Latah County Zoning Commission will hold public hearings on Wednesday, April 6th, 2016, in Room 2-B, Latah County Courthouse, Moscow, Idaho, to receive comments on:

CUP #976 – A request by William and Nancy Darnell to operate an Retreat Center including cabins and rv spaces on a 40 acre parcel. The site is located on Sunset Lane, Potlatch, Idaho in Section 16, Township 41 North, Range 04 West B.M., and is currently referenced as assessor's parcel number RP41N04W210661A.

CUP # 979 –A request by POE Asphalt Paving for a mineral resource development for asphalt batching in an existing mineral resource development owned by Don and Betty Nagle on a 2 acre portion of a 150 acre parcel. The site is located near 5981 Hwy 95 North, Potlatch, Idaho, in Section 01, Township 42 North, Range 05 West B.M., and is currently referenced as assessor's parcel number RP42N05W010011A.

Interested parties are encouraged to attend. Accommodations for individuals who qualify under the ADA are available upon request. Notice to acquire accommodations must be made 3 working days prior to the hearings to the Planning Dept. These hearings will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Land Use Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. The Latah County Zoning Commission reserves the right to limit length of testimony.

Additional information, including copies of the proposal, is available from the Planning Dept., Latah County Courthouse, Moscow, Idaho, (208) 883-7220. Written comments will be accepted at the above office prior to the hearing.

Mauri Knott, Senior Planner

(This is a public service announcement only)

LATAH COUNTY ZONING COMMISSION EXHIBIT LIST
Public Hearing for Conditional Use Permit #979

Date: April 6, 2016 **Time:** 5:30 pm **Applicant:** Poe Asphalt **File #:** CUP 979

EXHIBITS:

- | | |
|---------------------|--|
| Exhibit #1. | Criteria Worksheet |
| Exhibit #1A. | Zoning Map |
| Exhibit #1B. | Comprehensive Plan and Vicinity Map |
| Exhibit #1C. | Aerial Photograph and Adjacent Property Owners Map |
| Exhibit #2. | Application Form (Submitted by Applicant) |
| Exhibit #2A. | Applicant's Narrative (Submitted by Applicant) |
| Exhibit 2B. | Site Plan (Submitted by Applicant) |
| Exhibit #2C. | Plant Layout (Submitted by Applicant) |
| Exhibit #2D. | Plant Site (Submitted by Applicant) |
| Exhibit #2E. | Fugitive Dust Plan (Submitted by Applicant) |
| Exhibit #2F. | Spill Prevention Control and Countermeasure Plan (Submitted by Applicant) |
| Exhibit #2G. | Fire Suppression and Response Plan (Submitted by Applicant) |
| Exhibit #3. | Staff Introduction for Latah County Zoning Commission hearing for CUP #979 held on April 6, 2016 |

CRITERIA WORKSHEET & APPLICATION SUMMARY

Note: This exhibit does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. This worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information and to provide a juxtaposition of any conflicting testimony that has been presented.

Type of request:

A conditional use permit to operate a hot mix asphalt plant on approximately 2 acres.

Description of application:

CUP # 979 –A request by POE Asphalt Paving for a mineral resource development for asphalt batching in an existing mineral resource development owned by Don and Betty Nagle on a 2 acre portion of a 150 acre parcel. The site is located near 5981 Hwy 95 North, Potlatch, Idaho, in Section 01, Township 42 North, Range 05 West B.M., and is currently referenced as assessor's parcel number RP42N05W010011A.

Facts of application and the information submitted

1) Section 7.01 requires that specific uses within a particular zone require special consideration prior to being permitted in that zone.

The Latah County Land Use Ordinance, under section 3.01.03(8), lists "Mineral Resource Developments" as a conditionally permitted use in the Agriculture/Forest Zone.

2) Section 7.01.01 requires that an application for a conditional use permit shall be made by the owner of the affected property.

Poe Asphalt INC. submitted a conditional use application of the Latah County Planning and Building Department on March 10, 2016. The application was deemed complete by the Latah County Planning and Building Department on March 11, 2016. The conditional use permit application was signed by a representative of the applicant, Jeremy Walkup, and Betty Nagle owner of the subject property.

3) Section 7.01.02 requires:

1. A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:

- A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;
- B. The use will not require facilities or services with excessive costs to the public;
- C. The use is consistent with the goals and policies of the Latah County Comprehensive Plan.

2. If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.
3. The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their findings of fact and conclusions of law.

4) *Section 4.03.03 New Mineral Resource Developments states the following:*

Any mineral development which is not registered as an existing development or does not qualify to be registered as an existing development, not exempt as per Section 4.03.04 of this ordinance, or does not have an existing conditional use permit, shall be considered a new development. Prior to operation, all new developments must obtain a conditional use permit under the provisions of Section 7.01 of this ordinance. In addition the Zoning Commission shall, as a minimum, place the requirements of Section 4.03.02 upon any newly permitted mineral development, unless making specific findings supporting the omission or alteration of the requirements of Section 4.03.02. Mineral resource developments which have been granted a valid conditional use permit prior to one year after adoption of this ordinance shall be considered permitted and shall observe all conditions previously established. New mineral resource developments shall be exempt from the provisions of Section 7.01.07 of this ordinance. The following are requirements for operation of all new mineral resource developments:

1. Activity associated with a mineral resource development shall be at least 1,000 feet from any home existing at the time of application for conditional use permit, unless a lesser distance is approved by the Zoning Commission. A lesser distance shall not be approved unless the applicant submits a signed notarized form, approved by the Planning Department, from all owners of record of any residential building within 1000 feet of the development consenting to the location of the mineral resource development. Each form shall be recorded in the Latah County Recorder's Office by the Planning Department. Approval of a distance less than 1000 feet shall be within the discretion of the Zoning Commission, even if all owners of residential buildings within 1000 feet approve of the location of the development.
2. The operator of a mineral resource development must provide at least a 75 foot undisturbed or natural buffer on the perimeter of mineral resource development operations. The buffer and the area of mineral resource development operations shall be maintained so that they are continuously free of all noxious weeds as determined by the Latah County Noxious Weed Control Superintendent. Frontage on a public road does not require a buffer. Activities associated with a mineral resource development shall not be allowed within the 75 foot buffer area. Location and specifications for access road(s) shall be determined by the Zoning Commission.
3. To protect aquatic and terrestrial habitat and other biological resources, all mineral resource developments and mineral resource development operations shall be set back at least 75 feet from perennial streams and 30 feet from any intermittent streams shown on USGS 7.5 minute maps; except for stream crossings that are regulated by a state or federal regulatory system and those activities permitted under the Idaho Placer and Dredge Mining Protection Act from the Idaho Department of Lands, a Stream Channel

Alteration Permit from the Idaho Department of Water Resources, a Dredge and Fill Permit from the U.S. Army Corps of Engineers, a Development Permit from the Latah County Planning Department, and / or a National Pollution Discharge Elimination System permit from the U.S. Environmental Protection Agency. Applicable permit documentation shall be provided to the Zoning Administrator prior to onset of mineral resource development.

4. The applicant shall prepare and submit the following plans with the application for a conditional use permit:

- A. Dust abatement plan to include mineral resource development operations and all access roads.
- B. A plan for coordination with County response units for hazardous materials transport and use and emergency spill response.
- C. A plan for procedures and protocols for spill containment and storage of oil, fuels, and/or chemicals; and documentation of compliance with the state and federal laws or documentation of exemption from requirements.
- D. A plan for fire suppression and response, including an inventory of tools stored on-site to implement planned suppression and response.

5. The applicant may be required to post a bond with the Latah County Planning Department to assure full compliance with the proposed plans and provisions of this section. The amount of the bond shall be determined by the Latah County Zoning Commission.

5) Section 4.03.02 requires the following

1. Hours of operation are limited to 9 AM to 6 PM daily. An operator may vary from this requirement by applying for a conditional use permit under the provisions of Section 7.01 of this ordinance.

2. Written verification of compliance with the Idaho Surface Mining Act, including filing of any reclamation plan required by the Idaho Surface Mining Act.

3. The excavation site, any overburden and stockpiles, and a 50 foot buffer strip surrounding these areas shall be maintained so that they are continuously free of all noxious weeds as determined by the Latah County Noxious Weed Control Superintendent.

4. The operator shall provide, by certified mail, written notification to all residences within one mile of any blasting. The notification shall be distributed and in the possession of the occupants of these residences at least 72 hours prior to any blasting. The notification shall give the date and time of the planned blast.

5. Blasting shall be restricted to the hours of 9:30 AM to 4:30 PM, Monday through Friday. No blasting shall occur on Saturdays, Sundays, or the following holidays: January 1, Memorial Day, Labor Day, Thanksgiving Day, and December 25.

6. An owner or operator may request, and the Director may grant, an exception to provide for additional hours of operation for a mineral resource development when additional hours of operation are needed to alleviate a public emergency. Public emergencies include the following:

- A. Damage to public roads or structures that require immediate repair.
- B. Road construction or repair that is scheduled during nighttime hours to reduce traffic conflicts.

7. Signs, upon approval of the signs by the Planning Department, warning of truck entrances shall be posted within one-quarter (1/4) mile of the site's entrance onto a public road.

8. The mineral resource development shall be marked by warning signs posted 200 feet from mine operations.

9. A plan to retain storm water runoff within the mineral resource development boundaries.

Facts of application and the information submitted

Site Characteristics:

Size of Parcel: 150 acres
Floodplain: Zone "C"

Land Use and Regulations:

Comprehensive Plan Designation: Rural
Existing Zoning: Agriculture/Forest
Existing Uses: Mineral Resource/ Residential/ Pasture
Neighboring Zoning: Agriculture/Forest
Neighboring Uses: CRP/Mineral Resource/Agriculture/Forestry

Infrastructure/Services:

Water: N/A
Sewer: N/A
Access: State Hwy 95
Fire Protection: N/A

Applicable Statute, Ordinance, and Comprehensive Plan Sections:

Local Planning Act: Idaho Code 67-6512

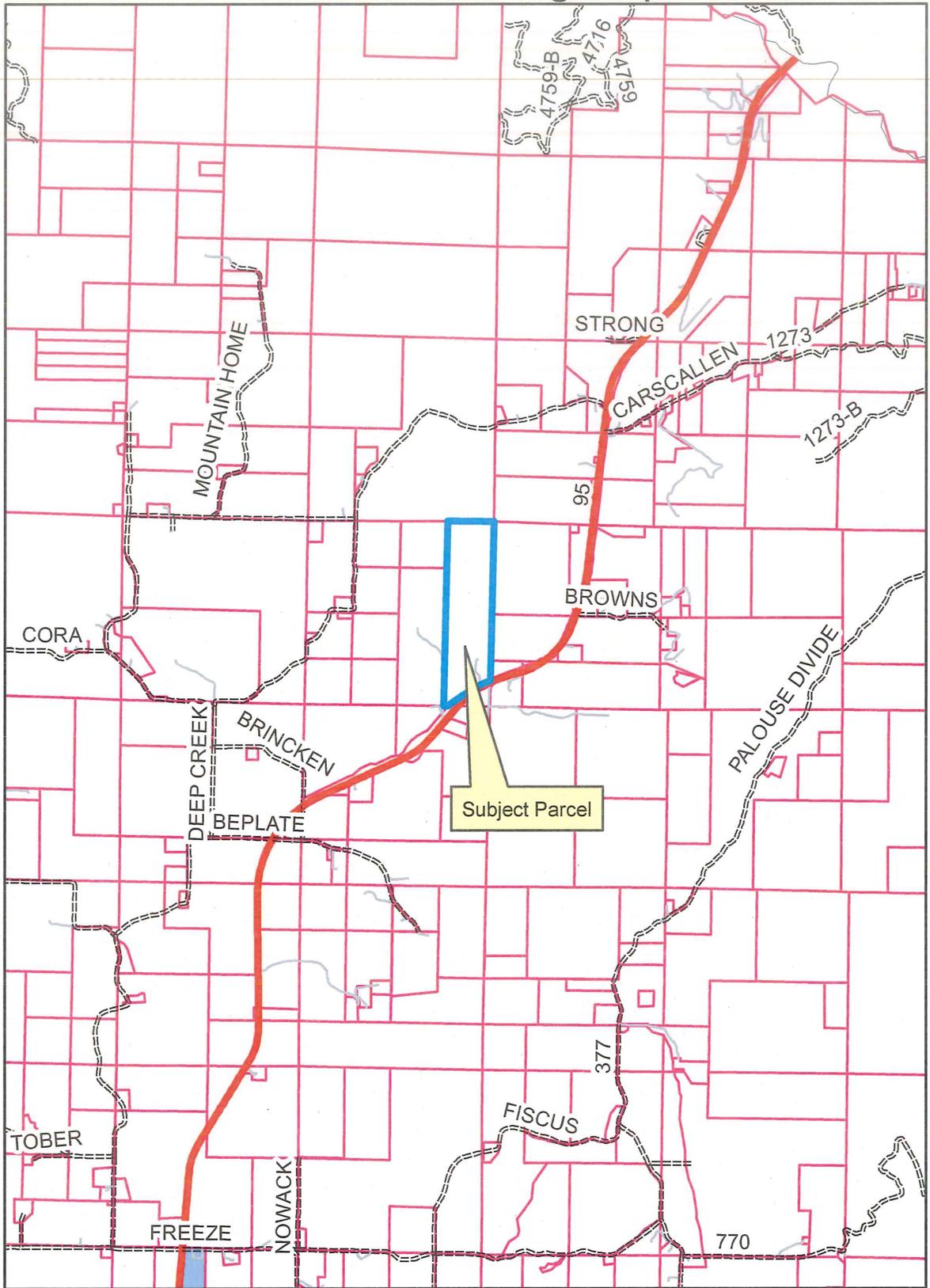
Latah County Land Use Ordinance # 269, as amended:

Section 3.01 Agriculture/Forest Zone
Article 7 Conditional Use Permits

Latah County Comprehensive Plan

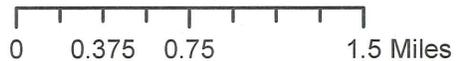
CUP 979 Zoning Map

Planning and Building Department



Note: This document is a representation only. Latah County bears no responsibility for errors or omissions.

Created by: CAB

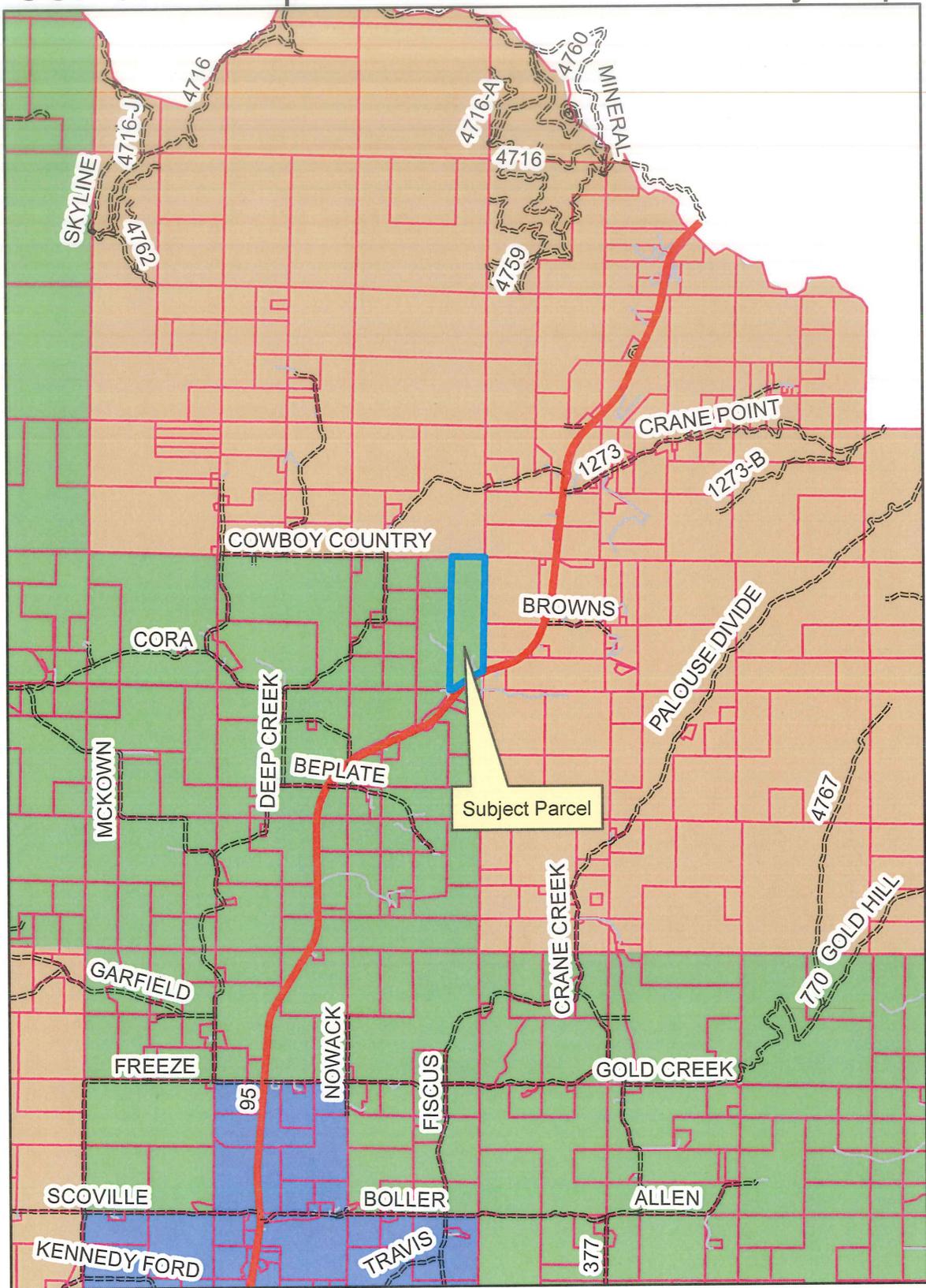


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|----------------------|-----------------------------|---------------------------|
| Agriculture Forestry | Motor Business | Rural Residential |
| Commercial | Multiple Family Residential | Single-Family Residential |
| Industrial | Municipality | Suburban Residential |

LCZC Hrg: CUP 979
 Applicant: Poe Asphalt
 Exhibit #: 1A
 Date: 04/06/2016

CUP 979 Comprehensive Plan and Vicinity Map

Planning and Building Department



Note: This document is a representation only. Latah County bears no responsibility for errors or omissions.

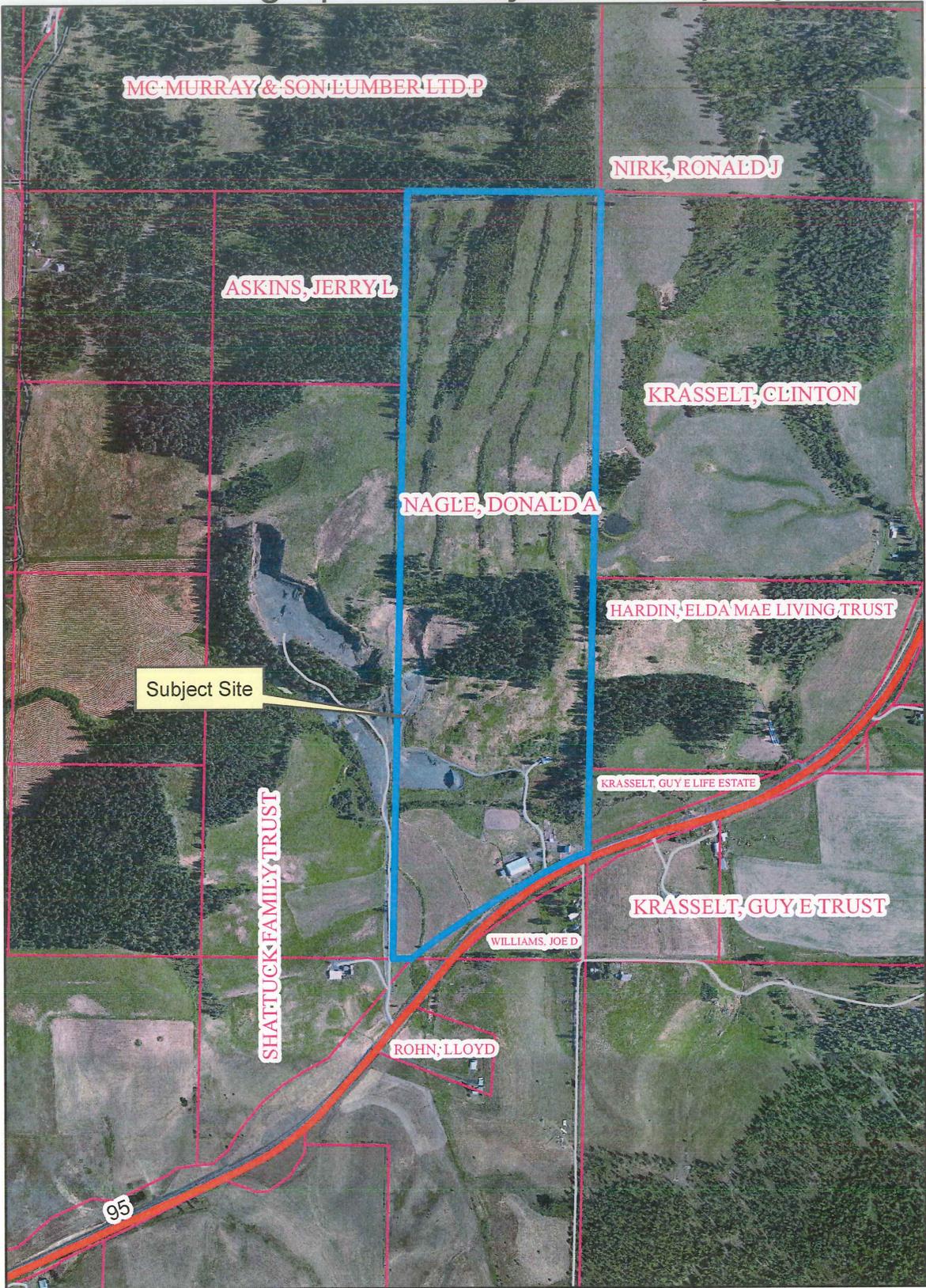
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LCZC Hrg: CUP 979
 Applicant: Poe Asphalt
 Exhibit #: 1B
 Date: 04/06/2016

CUP 979 Aerial Photograph and Adjacent Property Owners Map

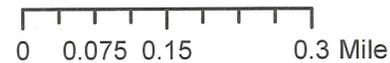
Planning and Building Department



Subject Site

Note: This document is a representation only. Latah County bears no responsibility for errors or omissions.

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LCZC Hrg: CUP 979
Applicant: Poe Asphalt
Exhibit #: 1C
Date: 04/06/2016



Please Save Document Before Filling It Out.
Application for Conditional Use Permit

Instructions

Please complete the application and required attachments. For certain uses, additional information may be necessary. Incomplete applications or applications without all required attachments will not be accepted. A public hearing will be scheduled only after Staff has determined the application is technically complete.

Please submit to: **Latah County Department of Planning & Building**
Latah County Courthouse 522 S Adams, Room 205, P.O. Box 8068, Moscow, ID 83843 (208) 883-7220

1. Applicant Information

a. Applicant Name Poe Asphalt Paving, Inc.		b. Home Phone / Work Phone (509) 758-5561		c. Email jeremy@poeasphalt.com	
d. Mailing Address P.O. Box 449		e. City Lewiston	f. State ID	g. Zip code 83501	
h. Property Owner (if different than applicant) Don and Betty Nagle		i. Home Phone (208) 875-1393		j. Work Phone	
k. Mailing Address 1625 Deep Creek Road		l. City Potlatch	m. State ID	n. Zip code 83855	

2. General Site Information

a. Assessor's Parcel Number(s) RP42N05W010011			b. Parcel Address (if applicable)		
c. Acreage of Existing Parcel 150.1	d. Zoning Ag Forest	e. Comprehensive Plan Designation Rural	f. Floodplain designation(s) See attached	g. FEMA Panel # 1600860135B	
h. Is the parcel within an Area of City Impact? <input type="checkbox"/> Yes. <input checked="" type="checkbox"/> No.	i. Impact City N/A		j. Road Used to Access Site US-95		

Note: Sites within an area of city impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.

i. Existing Uses
Existing gravel pit, residential, pasture

3. Service Provider Information (please attach additional information if requested)

a. Fire District Potlatch Rural	b. Road District North Latah County Highway	c. School District Potlatch
d. Source of Potable Water (i.e. water district or private well) Private well		e. Sewage Disposal (i.e. sewer district or private septic system) Private septic system

4. Adjacent Properties Information

a. Zoning of Adjacent Properties Ag. Forest	b. Existing Uses of Adjacent Properties Agriculture/CRP/Timber/Gravel Pit
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5. Permit Information

a. Proposed Use
Hot Mix Asphalt Plant

b. What provision of the Latah County Zoning Ordinance allows the proposed use to be considered for a Conditional Use Permit in the Zoning District in which the property is located? **3.03.8**

Note: If the proposed use is not specifically listed, please contact the Department prior to submittal to determine if the use is similar to those that are specifically listed as conditionally permitted uses. The Department may require additional information in order to make a determination.

6. Authorization

The applicant does hereby certify that all of the above statements and information in any attachments transmitted herewith are true, and further acknowledges that approval of this application may be revoked if it is found that any such statements are false.

a. Signature of Applicant <i>Jeremy Walker</i>	b. Date 3/10/16
c. Signature of Property Owner (if different than applicant) <i>Betty Nagle</i>	d. Date 3/11/16

Office Use Only

Date Received 3/11/16	Amount 300.00	Receipt No. 345	By
CUP # 979	Date Determined Technically Complete M. Walker 3/11/16		By
Hearing Date			

7. Attachments

All attachments should be reproducible in black and white at 8½" x 11"

- Fee:** (\$300.00) Make checks payable to Latah County.
- Completed Narrative Worksheet:** See instructions on the Conditional Use Permit Narrative Worksheet.
- Site Plan:** The site plan should include a north arrow, location of roads and rights-of-way, existing buildings, improvements and features; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Zoning Commission to make a decision.
- Vicinity Map:** The map should show the site location in relation to neighboring communities and natural features.
- Assessor's Plat Map:** Include a copy of that portion of the map that shows the subject parcel and adjoining parcels.
- Other Attachments:** Required by staff / Zoning Commission for certain proposed uses.



Conditional Use Permit Narrative Worksheet

Application Information

Applicant's Name
Poe Asphalt Paving, Inc.

Phone Number
(509) 758-5561

Purpose: To assist the Zoning Commission in making an informed decision regarding the applicant pursuant to the requirements of the Latah County Land Use Ordinance.

Instructions: Please respond to each section of this form. If you need more space, you may attach additional sheets to the worksheet.

Description of Proposal

Describe your proposal in detail. Include all aspects of your proposal.

Poe Asphalt Paving Inc. has been hired as a subcontractor to Apollo Inc. to perform paving on a project for the Idaho Transportation Department known as US-95, Smith Cr to Sheep Cr, Stg 1 (Project NH-5110(159); Key 09458). This project will provide improvements to a section of US-95 from MP 372.902 to MP 376.827 which is just north of the Benewah county line and south of DeSmet. This section of roadway is being realigned and widened to better accommodate travel along the US-95 corridor. The aggregate source for the project is the Shattuck Quarry (LT-24) which is adjacent to the parcel proposed for placement of the hot mix asphalt plant. Placement of the plant in this location minimizes the distance that resources have to be hauled to complete the improvements. The plant that is proposed for use on this project is permitted with Idaho Department of Environmental Quality according to the Rules for the Control of Air Pollution in Idaho. Operational limits are stipulated in this permit with compliance monitored by IDEQ personnel through on-site inspections and by review of required annual reporting. Additionally, prior to locating this plant on this property, the IDEQ is notified of the intended relocation to ensure compliance with all State environmental standards. The plant is a continuous mix hot mix asphalt plant with emissions controlled via a baghouse that is controlled via best available technology (computer system which controls the cleaning cycles to minimize emissions and maintain compliance with permitted limits). This style of plant produces product more efficiently and with less environmental impact than a batch plant and is the predominant style of hot mix asphalt plant used in the industry today. Extensive maintenance is performed on this plant each winter/spring in order to ensure regulatory compliance.

Existing Uses of Property

Please describe what uses, structures and features currently occupy the property.

The proposed location of the HMA plant has recently been used as an aggregate stockpile. The parcel also has a rock pit, residence and an equestrian boarding and riding arena on it. Agriculture and forestry uses are also present on the property. The location of the plant would be nearest the rock pit site and opposite from the residence and equestrian areas. The adjacent property contains an active rock quarry from which the material for this project is being obtained.

Consistency Requirements

Please respond to each of the three criteria listed in Section 7.01.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

A. The use is not detrimental to the health or safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone.

This property along with the adjacent properties are zoned agriculture-forestry. The proposed use of this site as a location for a hot mix asphalt plant is complimentary to the existing use of this parcel and the adjacent parcel. This location has been used to produce and stockpile aggregates for several decades. This use has proven to not be detrimental to those in the surrounding area and the site continues to operate with no negative impact to the area. The addition of a hot mix asphalt plant to this site does not create any additional health or safety issues to the neighboring area. The production of hot mix asphalt utilizing the proposed plant is highly regulated by the State of Idaho to ensure the health and safety of those in close proximity to the plant as well as the workers operating the plant. The aggregate that is used in the production of the asphalt is stockpiled and ran through the plant prior to being transported from the site. This additional mixing step is the only difference in the handling of the aggregate resource from the site. The liquid asphalt that is added to the raw aggregate will be transported to the plant location in accordance with all State and Federal codes. Tankers used to transport the liquid asphalt are DOT licensed and inspected trucks and the tank used to temporarily store the asphalt at the plant site is in compliance with all local and Federal codes and is permitted by the IDEQ. Approved procedures for handling the hot liquid asphalt are followed strictly to ensure the health and safety of both our workers and any nearby residents. The plant site is operated in the same manner a quarry is operated with site access being limited to those only required for the completion of the project. Trucks hauling hot mix asphalt from the site will utilize the same roads as trucks hauling raw aggregate from the site with the roads being maintained in the same manner. Upon completion of the production of hot mix asphalt, the plant will be disassembled and removed from the site. The site will be left in a similar condition that it currently is in (graded flat with all plant equipment/accessories removed from the site).

B. The use will not require facilities or services with excessive costs to the public.

The placement of a hot mix asphalt plant in the proposed location will not require additional services or facilities that involve excessive costs to the public. A portable genset powers the plant and sanitation service at the plant is provided by portable outhouses. EMS and fire service, should those services be required, are expected to be provided by the local departments. These services rely heavily on tax revenue and the placement of this plant in this location will generate additional tax revenue to the district providing these services.

LCZC Hrg: CUP 979
Applicant: Poe Asphalt
Exhibit #: 2A
Date: 04/06/2016

C. The use is not in conflict with the goals and policies of the Comprehensive Plan.

The placement of a hot mix asphalt plant on the Nagle property does not conflict with the goals and policies of the Comprehensive Plan. The proposed use preserves the rural character of the County by locating adjacent to an area that already utilizes the natural resources in the area (aggregate). This plant mixes the raw aggregate into an additional marketable product that will be put to use a short distance for this location. By utilizing the raw resource close to the project being constructed unnecessary transportation for a long distance is eliminated. This use provides additional economic input in the region by utilizing these locally sourced materials. The public will benefit from this proposed use by having a more economically constructed travel corridor versus the asphalt being hauled in from a longer distance. The safety of traveling on the newly reconstructed route will be greatly increased from the current condition. This location for the placement of the asphalt plant will also allow the project to be constructed more timely versus alternatives (hauling from a more distant source) as the paving will be completed in a shorter timeline.

In addition to your response above, please explain your proposal's consistency with the proceeding elements of the Comprehensive Plan. If a certain element is not applicable to your proposal, please explain why. Please refer to the Latah County Comprehensive Plan for specific goals and policies of the particular elements.

a. Community Design Element

The community will benefit from the roadway improvements to Hwy 95 by having a safer route to utilize for travel.

b. Population Element

With increased traffic counts on area highways, roadways need to be improved to accommodate safe travel of all users. The use of this asphalt plant will improve the travel corridor allowing safer and more efficient travel through the area.

c. Housing Element

N/A

d. Economic Development Element

The improvements being completed on this project will provide tax dollars to local municipalities. Additionally, construction workers on the project will spend part of their earnings from the project at local businesses.

e. Public Services, Facilities, and Utilities Element

The improvements being made to Hwy 95 will help facilitate safe movement of goods and citizens between communities. No public services, other than the existing highway adjacent to the property will be required to facilitate this proposed use. The plant proposed for use is self contained and operates independent of any public utilities.

f. School Facilities and Student Transportation Element

The improvements being completed on Hwy 95 will provide a safer route over which local school children are transported to and from school and other activities. This particular section of Hwy 95 is in poor condition with dangerous curves which are being improved as part of this project.

g. Transportation Element

This section of Hwy 95 is in dire need of repair and alignment changes and these improvements are being completed as part of this project. The safety of traveling on this section of Hwy 95 will be greatly enhanced with the completion of this project.

h. Natural Resource Element

Local aggregate resources are being utilized to construct this project. Utilization of these resources in close proximity to their origin eliminates the need to transport the materials to other areas and allows for economical use of the resource.

i. Special Areas Element

N/A

j. Hazardous Areas Element

N/A

k. Recreation Element

Hwy 95 is used heavily during the summer months for transportation to and from recreational locations. These improvements will make this travel safer which may encourage more people to recreate near the surrounding communities.

l. Land Use Element

The area proposed for placement of the HMA plant has previously been used as an aggregate stockpile location and is adjacent to the source of material being utilized on the project. This use is consistent with current planning regulations.

m. Property Rights Element

This use is consistent with the current planning regulations and is also consistent with historical uses on the property and supports the use of natural resources present in the area.

n. Water Resources Element

There is a stream located south of the proposed plant site which will be protected by the required buffers. No water resources will be impacted by this proposed use.

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W

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95

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0001



Hot Mix Asphalt Plant

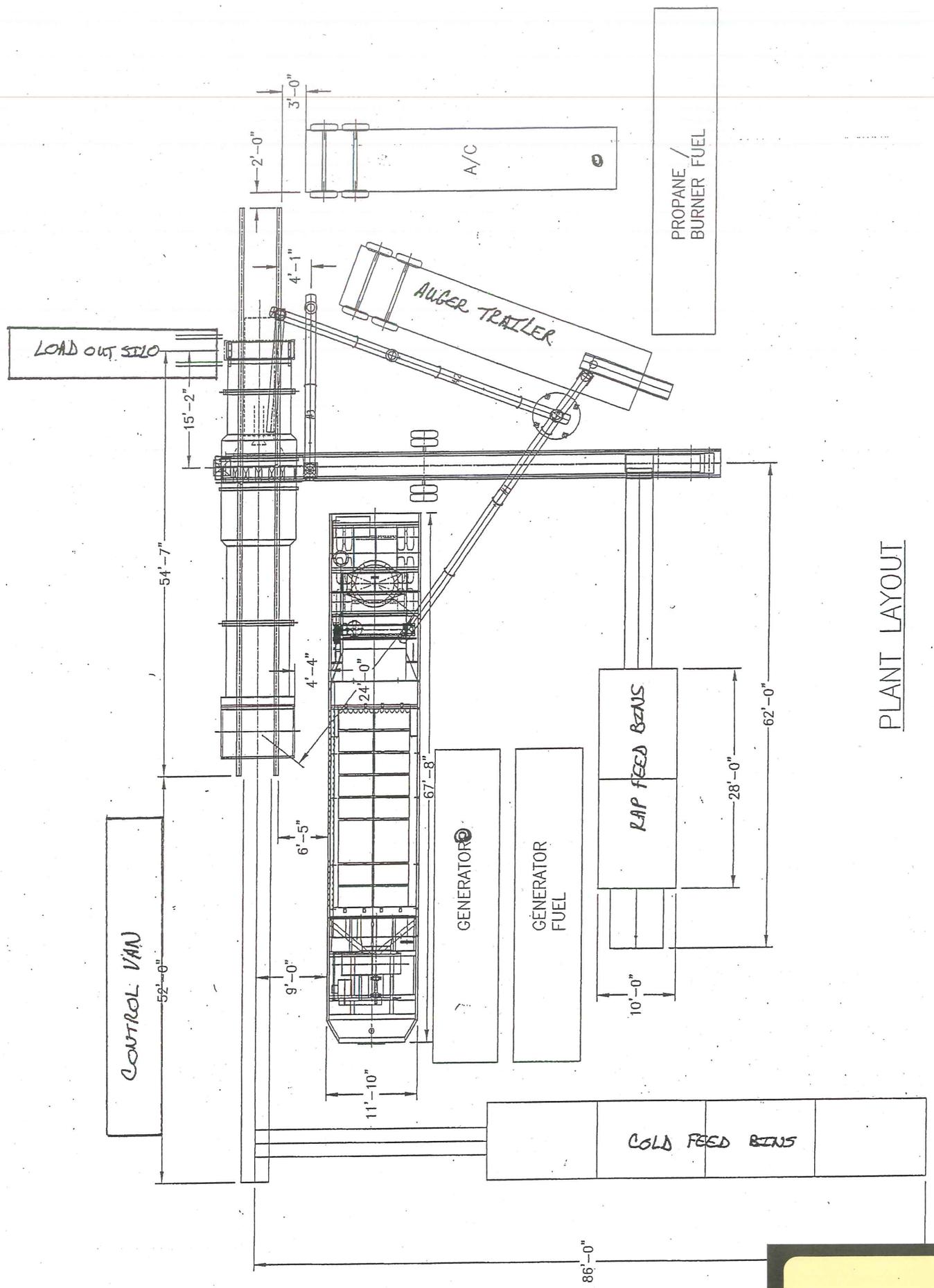
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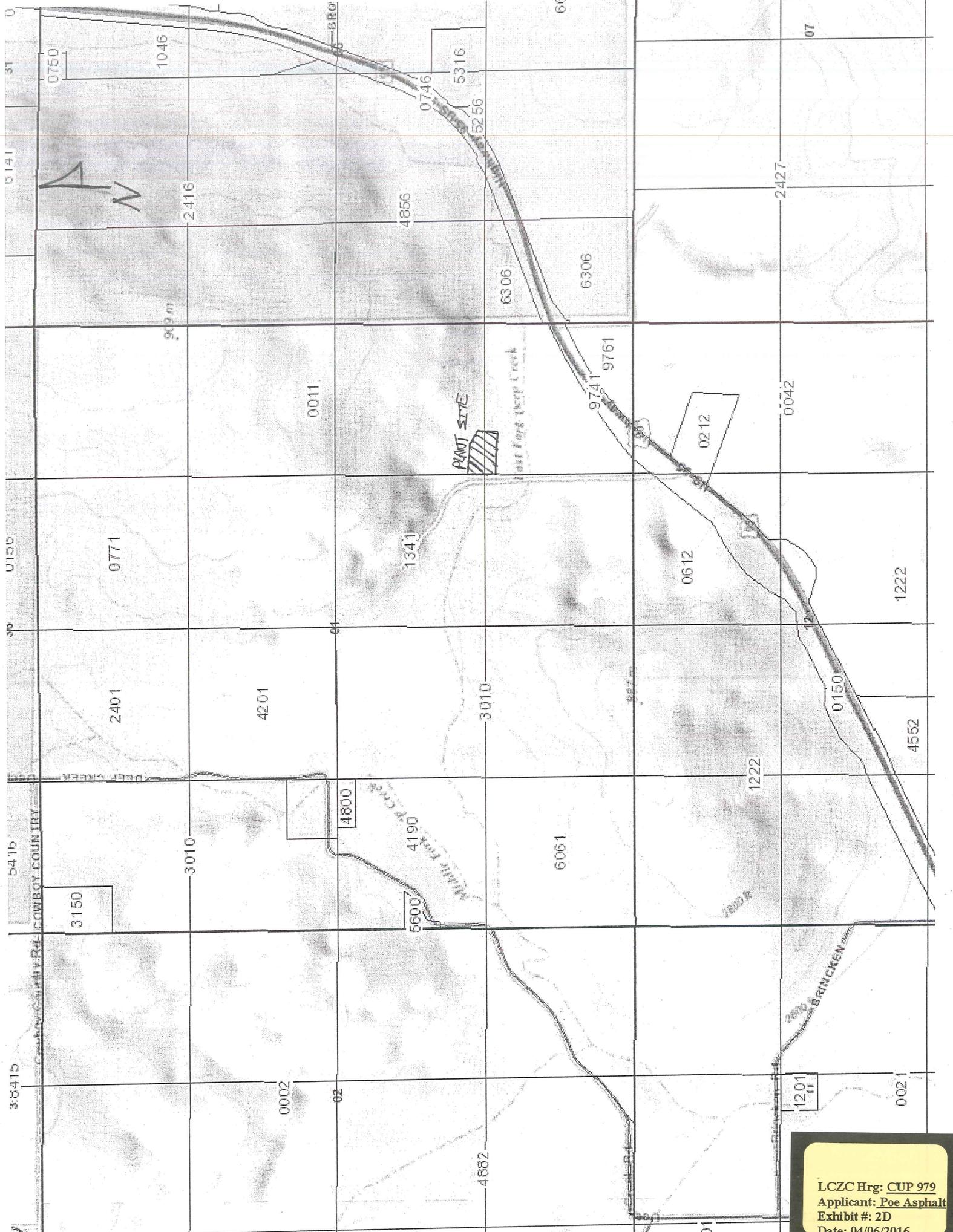
LCZC Hrg: CUP 979
Applicant: Poe Asphalt
Exhibit #: 2B
Date: 04/06/2016

AC TANK
GENERATOR

← PLACES IN DIFFERENT LOCATIONS @ EACH PIT SITE DEPENDING ON AVAILABLE SPACE.



PLANT LAYOUT



LCZC Hrg: CUP 979
 Applicant: Poe Asphalt
 Exhibit #: 2D
 Date: 04/06/2016



FUGITIVE DUST PLAN

PLANT NUMBER 1900

FACILITY ID 777-00084

IDAHO DEQ PERMIT NO. P-2015.0024

An Equal Opportunity Employer

LCZC Hrg: CUP 979
Applicant: Poe Asphalt
Exhibit #: 2E
Date: 04/06/2016

Acronyms, Units, and Chemical Nomenclatures

Acceptable Ambient Concentration for Non-Organics	AAC
Acceptable Ambient Carcinogenic Concentration	AACC
Actual Cubic Feet per Minute	acfm
Aerometric Information Retrieval System	AIRS
AIRS Facility System	AFS
Air Quality Control Region	AQCR
British Thermal Unit(s)	Btu
Clean Air Act	CAA
Code of Federal Regulations	CFR
Carbon Monoxide	CO
Washington Department of Ecology	DEQ
Dry Standard Cubic Foot or Feet	dscf
Emission Factor	EF
Environmental Protection Agency	EPA
Fugitive Dust	FD
Fugitive Emissions	FE
Foot or Feet	ft
Square Foot or Feet Graphite	Ft ²
Gallons per Minute	gpm
Grains(s)	gr
Grains per Dry Standard Cubic Foot	gr/dscf
Hazardous Air Pollutants	HAPS
High-Efficiency Particulate Air	HEPA
Hour(s)	hr
A numbering designation for all administrative Rules in Idaho Promulgated under the Idaho Administrative Procedures Act	IDAPA
Inch(es)	in
Industrial Source Complex Short Term 3	ISCST3
Kilogram	kg
Kilojoules	kJ
Kilometers	km
Kilowatts	KW
Pound per Hour	lb/hr
Meter(s)	m
Cubic Meter(s)	m ³
Milligrams per Cubic Meter	mg/m ³
Micrometers	um
Maximum Achievable Control Technology	MACT
Metal Debris	MD
Minute(s)	min
Million British Thermal Units per Hour	MM Btu/hr
National Ambient Air Quality Standards	NAAQS
National Emissions Standards for Hazardous Air Pollutants	NESHAPS
Nitrogen Dioxide	NO ²
Nitrogen Oxides	NO
New Source Performance Standards	NSPS
Ozone	O ³
Percent	%

Glossary of Terms

Best Management Practice (BMP): Is a recommended technique designed to assist industries to comply with environmental regulations.

Fugitive Dust: Fugitive Emissions composed of particulate matter.

Fugitive Emissions: Emissions that could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening.

Particulate Matter: Any material, except water in uncombined form, which exists as a liquid or a solid at standard conditions.

Paved Public Roadway: A roadway with a surface of asphalt or concrete that is accessible to the general public.

Screening Operation: A device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series and retaining oversize material on the surfaces.

Stockpile: Any nonmetallic mineral storage pile, reserve supply, or similar accumulation.

Track Out: The deposition of mud, dirt, or similar debris onto the surface of a paved road from tires and/or undercarriage of any vehicle associated with the operation of a facility.

Transfer Point: A point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor, except where the nonmetallic mineral is being transferred to a stockpile.

Truck Dumping: The unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include, but are not limited to, trucks, front-end loaders, skip hoists, and railcars.

Unpaved Haul Road: An un-surfaced roadway within the physical boundary of a nonmetallic mineral processing facility that is used as haul road, access road, or similar means of ingress or egress.

Vent: An opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

FUGITIVE EMISSIONS SOURCES

Fugitive Emissions Sources are those that emit particulate, but have no exhaust stack. They include roads, both paved and unpaved, material transport conveyors, loaders and either truck unloading or loading. Fugitive Emission Sources also include storage piles, building doors, windows and roof monitors.

POINT SOURCES

Point Sources are those which exhaust through a duct or stack. The Point Sources are the Burner Dryer Cyclone, Pellet Cooler Cyclone and the Dust System Cyclone.

CONTROL STRATEGIES

The Control Strategies are different for the Fugitive Sources and the Point Sources. Strategies for the Fugitive Sources include sweeping, watering, blocking and enclosures. Also, the strategies for the Fugitive Sources must account for Unpaved or open spaces at the plant site, Material Transfer Points, Storage Piles in addition to Paved and Unpaved Sources.

Strategies for the Point Sources include control equipment that removes emissions from an exhaust stream. For example control of the Burner Dryer particulate emissions is controlled by a bag house. Gaseous emissions from the system are controlled using the Best Available Control Technology of Combustion air and temperature control.

Control strategies for the Fugitive Dust Sources are based upon Best Management Practices. Best Management Practices, BMP have been identified for common sources of Fugitive Dust Emissions. The BMP's have been developed from the mineral processing facilities, sand and gravel operations, concrete batch plants, asphalt batch plants and agriculture activities. The BMP for the 1900 Plant are listed below.

BEST MANAGEMENT PRACTICES

Paved Roads

Promptly remove mud, dirt or similar debris from the roadway. Water flushing and/or vacuum sweeping may be performed.

Unpaved Haul Roads and Surfaces

Vehicle traffic and speeds will be limited to under 15 miles per hour on unpaved roads.

Water, may/will be used to control fugitive emissions from unpaved, graveled or open surfaces.

BEST MANAGEMENT PRACTICES CONTINUED

Material Transfer Points

Water sprays or covering of material transfer points will be used to control fugitive dust emissions from conveyors. Also, loader buckets will be kept as low as possible when dropping material into aggregate bins.

Storage Piles

Storage Piles consisting of aggregate and sand may be watered as needed to control fugitive dust. The high moisture content adds weight to the material particles and prevents pick up by wind currents.

Storage Piles are kept at a minimum height to create their own surface barrier as the site allows.

Appearance

All trash is to be placed in proper receptacle. All parts, road fabric, iron and other associated material is to be placed in their designated areas.

Preventative Maintenance of Bag House

Black light tests will be performed at a minimum of bi-annually. In the prevention of leaks, a visual inspection on lids and seals will be done weekly during operation.

Operator Instruction

Plant Operators will be instructed on how to record the daily and monthly emission observations and will be given an introduction to the observation methods and reporting procedures.

**SPILL PREVENTION CONTROL AND
COUNTERMEASURE PLAN**
**(Procedures and protocols for liquid storage, spill
containment, and emergency spill response)**

For:

**Poe Asphalt Paving, Inc
1900 Hot Mix Asphalt Plant**

Prepared by:

Poe Asphalt Paving Inc.

P. O. Box 449

Lewiston, ID 83501

March 2016

Site Information

Name of Project	1900 Plant	
Type of Project	Hot Mix Asphalt Plant	
Project Location	Nagle Property Latah County	
Summary of Potential Spill Sources	On-Site Sources of Potential Spills – None Potential Sources of Spills Brought On-Site Heavy Equipment, Light Equipment, Generators, Fuel Trailer, and Oil, Diesel, Hydraulic and Liquid Asphalt Containers	
Primary Contractor	Poe Asphalt Paving Inc. 302 15th Street Clarkston Washington 99403 (509) 758-5561	
Contractor Personnel Responsible for Spill Prevention	Yancy Sherwin 509-758-5561 Office 208-790-0082 Cell	Jeremy Walkup 509-758-5561 Office 208-791-1891 Cell

Potential Sources of Spills Table

Assigned Source Number	Potential Spill Source	Planned Spill Prevention
Known Site Conditions (Materials/Equipment Brought On-site)		
1	Diesel Fuel	Response #1
2	Hydraulic Fuel	Response #2
3	Engine Oil	Response #3
4	Gasoline	Response #4
5	Liquid Asphalt (tack, PG Liquid)	Response #5
6		
7		
8		
9		
10		
11		
12		

Storage of Oil, Fuels, and Liquid Asphalt

Poe Asphalt Paving Inc. recognizes the importance of properly storing and handling materials that could cause harm to the environment should they be released from storage vessels. These materials include oil, fuel and liquid asphalt, which are all used in the process for producing hot mix asphalt. All liquids are stored in approved storage tanks on the plant site. These storage tanks include spill controls such as double wall linings and appropriate blow-off devices which prevent excessive build up within the tanks. These tanks are all permitted by the State of Idaho for use as part of this asphalt plant. Due to the portable nature of this facility, all tanks are designed to be readily transported and utilized in temporary installations and are self-contained units. The tanks are maintained in accordance with manufacturers requirements to ensure safe storage of liquids.

Spill Response

Poe Asphalt Paving Inc. realizes the importance of immediate response to any spills of regulated materials. As such, we recognize that the elements of Spill Response, and train our personnel and sub-contractors on the appropriate actions that must be taken and information that must be communicated to the "person in charge." A detailed spill response plan has been developed for each potential spill source identified for the site.

Potential Spill Source 1: Diesel Fuel (fueling operations, leak, rupture, etc.)

Spill Type: Diesel Fuel

Spill Response Equipment: appropriate PPE (fuel resistant gloves, eye protection), absorbent pads, kitty litter, 30-gallon plastic bags, "non-sparking" shovel, plastic sheeting, and one 55-gallon open top drum.

Spill Response Equipment Location: Spill Kit located and plant site.

Spill Response Procedures:

In the case of a release or spill of diesel fuel, the following spill response procedures will be conducted:

1. Stop operations immediately.
2. Notify the person in charge for the project.
3. Assess the hazard. If the spill cannot be safely and effectively controlled, direct safe evacuation of the area, and notify outside response services. Implement EAP as appropriate.
4. If the spill is "incidental" and can be safely and effectively controlled by contractor personnel, then: (contact 911 if spill cannot be safely and effectively controlled.)

Evacuate and secure the area.

Obtain appropriate spill response equipment and personal protective equipment.

Identify the source of the release. Determine the origin of the release. Is the release from a leaking fuel tank, a ruptured fuel line, or an overfilled fuel tank?

Shut off source/shut off equipment. If the release occurred as a result of fueling operations, turn off the fuel source. If the release occurred due to faulty equipment, make sure equipment is turned off.

Contain the spill.

Contain the spill using appropriate spill response equipment provided in the on-site spill response kit.

Protect sensitive areas.

Diesel fuel is a combustible liquid. Keep all sources of ignition away from spill.

5. Cleanup spill.

The fueling areas will not be paved therefore any spills or releases in this area will contaminate surface soil. Surface water contamination however, is highly unlikely. Once the source and the spill have been contained, remove visibly contaminated surface soil (wet, stained, and/or odorous) with a shovel (found in the spill response kit). Depending on the volume, removed soil is to be placed in either a labeled drum, or in a stockpile. If removed soil is to be placed in a stockpile, the stockpile must be placed on and covered with plastic (plastic sheeting). Sandbags or rocks will be used to anchor the plastic sheeting down.

6. **The person in charge** will notify the appropriate local, state, and/or federal agencies.

Potential Spill Source 2: Hydraulic Oil (leak, rupture, etc.)

Spill Type: Hydraulic Oil

Spill Response Equipment: appropriate PPE (fuel resistant gloves, eye protection), absorbent pads, kitty litter, 30-gallon plastic bags, "non-sparking" shovel, plastic sheeting, and one 55-gallon open top drum.

Spill Response Equipment Location: Spill Kit located and plant site.

Spill Response Procedures:

In the case of a release or spill of hydraulic oil, the following spill response procedures will be conducted:

1. Stop operations immediately.
2. Notify the person in charge for the project.
3. Assess the hazard. If the spill cannot be safely and effectively controlled, direct safe evacuation of the area, and notify outside response services. Implement EAP as appropriate.
4. If the spill is "incidental" and can be safely and effectively controlled by contractor personnel, then: (Evacuate area and contact 911 if spill cannot be safely and effectively controlled.)

Secure the area.

Obtain appropriate spill response equipment and personal protective equipment.

Identify the source of the release. Determine the origin of the release. Is the release from a leaking fuel tank, a ruptured hydraulic hose, or an overfilled fuel tank?

Shut off source/shut off equipment. If the release occurred as a result of fueling operations, turn off the fuel source. If the release occurred due to faulty equipment, make sure equipment is turned off.

Contain the spill.

Contain the spill using appropriate spill response equipment provided in the on-site spill response kit.

Protect sensitive areas.

Please note that this material may burn, but will not ignite readily. Use caution to keep all ignition sources away from the spill.

5. Cleanup spill.

The area is paved therefore any spills or releases in this area shouldn't contaminate surface soil. Once the source and the spill have been contained, remove spill with absorbent material such as kitty litter and shovel (found in the spill response kit). Should a hydraulic spill occur, it would occur come from paving equipment of site. With no major bodies of water near paving limits, the risk of a spill to surface water is highly unlikely. Depending on the volume, removed soil is to be placed in either a labeled drum, or in a stockpile. If removed soil is to be placed in a stockpile, the stockpile must be placed on and covered with plastic (plastic sheeting). Sandbags or rocks will be used to anchor the plastic sheeting down.

6. **The person in charge** will notify the appropriate local, state, and/or federal agencies.

Potential Spill Source 3: Engine Oil (leak, rupture, etc.)

Spill Type: Engine Oil

Spill Response Equipment: appropriate PPE (fuel resistant gloves, eye protection), absorbent pads, kitty litter, 30-gallon plastic bags, "non-sparking" shovel, plastic sheeting, and one 55-gallon open top drum.

Spill Response Equipment Location: Spill Kit located at plant site.

Spill Response Procedures:

In the case of a release or spill of engine oil, the following spill response procedures will be conducted:

1. Stop operations immediately.
2. Notify the person in charge for the project.
3. Assess the hazard. If the spill cannot be safely and effectively controlled, direct safe evacuation of the area, and notify outside response services. Implement EAP as appropriate.
4. If the spill is "incidental" and can be safely and effectively controlled by contractor personnel, then: (evacuate and call 911 if spill cannot be safely and effectively controlled)

Secure the area.

Obtain appropriate spill response equipment and personal protective equipment.

Identify the source of the release. Determine the origin of the release. Is the release from a leaking storage tank, a ruptured hydraulic line, or an overfilled oil reservoir?

Shut off source/shut off equipment. If the release occurred as a result of fueling operations, turn off the fuel source. If the release occurred due to faulty equipment, make sure equipment is turned off.

Contain the spill.

Contain the spill using appropriate spill response equipment provided in the on-site spill response kit.

Protect sensitive areas.

This material may ignite. Keep sources of ignition clear of spill.

5. Cleanup spill.

The area is not paved therefore any spills or releases in this area could contaminate surface soil. Once the source and the spill have been contained, remove spill with absorbent material such as kitty litter and shovel (found in the spill response kit). Should an oil spill occur, it would come from paving equipment on site, or trucks in the staging area. With no major bodies of water near paving limits, or the staging area the risk of a spill to surface water is highly unlikely. Depending on the volume, removed soil is to be placed in either a labeled drum, or in a stockpile. If removed soil is to be placed in a stockpile, the stockpile must be placed on and covered with plastic (plastic sheeting). Sandbags or rocks will be used to anchor the plastic sheeting down.

6. The person in charge will notify the appropriate local, state, and/or federal agencies.

Potential Spill Source 4: Gasoline (fueling operations, leak, rupture, etc.)

Spill Type: Gasoline

Spill Response Equipment: appropriate PPE (fuel resistant gloves, eye protection), absorbent pads, kitty litter, 30-gallon plastic bags, "non-sparking" shovel, plastic sheeting, and one 55-gallon open top drum.

Spill Response Equipment Location: Spill Kit located at plant site.

Spill Response Procedures:

In the case of a release or spill of gasoline, the following spill response procedures will be conducted:

1. Stop operations immediately.
2. Notify the person-in-charge for the project.
3. Assess the hazard. If the spill cannot be safely and effectively controlled, direct safe evacuation of the area, and notify outside response services. Implement EAP as appropriate.
4. If the spill is "incidental" and can be safely and effectively controlled by contractor personnel, then: (evacuate and call 911 if spill cannot be safely and effectively controlled.)

Secure the area.

Obtain appropriate spill response equipment and personal protective equipment.

Identify the source of the release. Determine the origin of the release. Is the release from a leaking fuel tank, a ruptured fuel line, or an overfilled fuel tank?

Shut off source/shut off equipment. If the release occurred as a result of fueling operations, turn off the fuel source. If the release occurred due to faulty equipment, make sure equipment is turned off.

Contain the spill.

Contain the spill using appropriate spill response equipment provided in the on-site spill response kit.

Protect sensitive areas.

Extremely flammable. Keep all sources of ignition away from spill locations.

5. Cleanup spill.

The fueling areas will not be paved therefore any spills or releases in this area will contaminate surface soil. Surface water contamination however, is highly unlikely. Once the source and the spill have been contained, remove visibly contaminated surface soil (wet, stained, and/or odorous) with a shovel (found in the spill response kit). Depending on the volume, removed soil is to be placed in either a labeled drum, or in a stockpile. If removed soil is to be placed in a stockpile, the stockpile must be placed on and covered with plastic (plastic sheeting). Sandbags or rocks will be used to anchor the plastic sheeting down.

6. The person in charge will notify the appropriate local, state, and/or federal agencies.

Potential Spill Source 5: Asphalt Oil; tack, PG Liquid (leak, rupture, etc.)

Spill Type: Liquid Asphalt (tack, PG)

Spill Response Equipment: appropriate PPE (fuel resistant gloves, eye protection), absorbent pads, kitty litter, 30-gallon plastic bags, "non-sparking" shovel, plastic sheeting, and one 55-gallon open top drum.

Spill Response Equipment Location: Spill Kit located at plant site.

Spill Response Procedures:

In the case of a release or spill of asphalt oil, the following spill response procedures will be conducted:

1. Stop operations immediately.
2. Notify the person in charge for the project.
3. Assess the hazard. If the spill cannot be safely and effectively controlled, direct safe evacuation of the area, and notify outside response services. Implement EAP as appropriate.
4. If the spill is "incidental" and can be safely and effectively controlled by contractor personnel, then: (evacuate and call 911 if spill cannot be safely and effectively controlled)

Secure the area.

Obtain appropriate spill response equipment and personal protective equipment.

Identify the source of the release. Determine the origin of the release. Is the release from a leaking storage tank, a ruptured hydraulic line, or an overfilled oil reservoir?

Shut off source/shut off equipment. If the release occurred as a result of fueling operations, turn off the fuel source. If the release occurred due to faulty equipment, make sure equipment is turned off.

Contain the spill.

Contain the spill using appropriate spill response equipment provided in the on-site spill response kit.

Protect sensitive areas.

This material may ignite. Keep sources of ignition clear of spill.

5. Cleanup spill.

The area is not paved therefore any spills or releases in this area could contaminate surface soil. Once the source and the spill have been contained, remove spill with absorbent material such as kitty litter and shovel (found in the spill response kit). Should an oil spill occur, it would come from paving equipment on site, or trucks in the staging area. With no major bodies of water near paving limits, or the staging area the risk of a spill to surface water is highly unlikely. Depending on the volume, removed soil is to be placed in either a labeled drum, or in a stockpile. If removed soil is to be placed in a stockpile, the stockpile must be placed on and covered with plastic (plastic sheeting). Sandbags or rocks will be used to anchor the plastic sheeting down.

6. The person in charge will notify the appropriate local, state, and/or federal agencies.

Notification and Reporting

The "Person-in-Charge" will contact regulatory agencies regarding spill response activities. We will work with any On- Site Inspector(s) to ensure the proper information and data is collected, so that it can accurately be communicated to the appropriate agencies. An overview of the reporting requirements is provided below as a reference.

Federal Reporting Requirements

- Any spill of oil that 1) violates water quality standards, 2) produces a "sheen" on surface water, or 3) causes a sludge or emulsion must be reported immediately by telephone to the National Response Center Hotline at (800) 424-8802.
- Any oil, hazardous substance, or hazardous waste release, which exceeds a reportable quantity, must be reported immediately by telephone to the National Response Center Hotline at (800) 424-8802.
- Any emergency event that requires activation of the SPCC plan or a fire, explosion or spill of any amount that reaches navigable waters of the United States, must be reported in writing to the USEPA Regional Administrator within fifteen (15) days.
- If a discharge of more than 1,000 gallons of oil reaches waters of the U.S., or if two spill events, reportable under the Federal Water Pollution Control Act, occur within any 12-month period, a report must be submitted in writing to the USEPA Regional Administrator within 60 days.

Local Reporting Requirements

- In the event of a fire and/or explosion, contact the Local fire and police departments.
- If a spill enters the storm drainage system, contact the Local Public Works Department (N/A).
- If a spill cannot be safely and effectively contained and controlled by Poe Asphalt Paving Inc. personnel, the designated spill cleanup contractor, **ABLE CLEANUP TECHNOLOGIES** will be contacted.

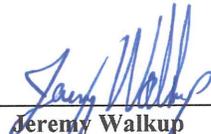
ABLE CLEANUP TECHNOLOGIES	Phone: (509) 466-4525
• Emergency spill response	Cellular: (509) 991-9942

External Notification Reference List

Agency & Responsibilities	Contacts
LOCAL FIRE DEPARTMENTS. <ul style="list-style-type: none"> • Fire fighting/and Hazmat • Emergency medical response • Initial Spill response 	Phone: 911
LOCAL POLICE DEPARTMENTS. <ul style="list-style-type: none"> • Latah County Sheriff 	Phone: 911
LOCAL PUBLIC WORKS DEPARTMENT <ul style="list-style-type: none"> • Information on storm drains and other utilities 	Phone: N/A

<p>LOCAL HOSPITALS</p> <ul style="list-style-type: none"> • Emergency medical treatment 	<p>Phone:</p> <p>Gritman Medical Center</p> <p>804 S. Washington St Moscow, ID 83843 (208) 883-6562</p>
<p>National Response Center</p> <ul style="list-style-type: none"> • Reporting spills to water 	<p>Phone: (800) 424-8802</p>

This Spill Prevention Control and Countermeasure Plan (SPCC) plan is supported by management with the authority to commit the necessary resources including manpower, equipment, and materials to expeditiously control and remove any harmful quantity of oil or hazardous substances released to the water or land of the State of Idaho.



Jeremy Walkup
Poe Asphalt Paving Inc.



FIRE SUPPRESSION AND RESPONSE PLAN

PLANT NUMBER 1900; FACILITY ID 777-00084
IDAHO DEQ PERMIT NO. P-2015.0024

Inventory of Tools and Equipment

In the event a fire should occur at or around the hot mix asphalt plant site, several tools are kept on site to assist in suppression of such fire. The plant site has multiple fire extinguishers located on the site (control van, genset, and testing lab). In addition to fire extinguishers, a 1,500 gallon water tank is also at the plant site and can be used to provide initial response. Equipment present at the plant site that will also be used for fire suppression should the need arise includes a 972 Cat load and 4,000 gallon water truck. Several shovels are also kept throughout the plant site.

Suppression and Response

The plant operator (foreman) is the person in charge at the plant site and as such is responsible for coordination of fire suppression efforts. A minimum of three employees are present at the plant site when the plant is in operation with additional employees present as trucks travel to and from the site. All personal present will assist in fire suppressions should the need arise. The plant foreman inventories all fuels and liquid asphalt present at the site on a daily basis and knows exactly where all liquids are stored. As such, he is responsible for implementing proper suppression methods depending on the location of any fire that may occur. In addition to fuels that are stored on site, there are also generators and a control van that contains a large amount of electrical equipment. The proper types of fire extinguishers are contained at the location of these devices and will be used accordingly to suppress an electrical fire. The plant foreman has been trained in the proper use of the appropriate type of extinguishing methods depending on the source of fuel feeding any potential fire.

In the event a fire does start, the plant foreman will make an assessment to determine if on-site personal will be able to control the fire. This determination will be based on the fuel source, size of the fire at the time of observation and other environment conditions at the time. At any point during an active fire if the foreman should change his assessment and determine that outside assistance is needed, the local fire department will be contact via 911. If a spill has occurred or is likely to occur due to the fire, spill procedures will also be followed which may include notifying appropriate agencies as well.

CUP #979 – Staff Introduction

A request by POE Asphalt Paving for a mineral resource development for asphalt batching in an existing mineral resource development owned by Don and Betty Nagle on a 2 acre portion of a 150 acre parcel. The site is located near 5981 Hwy 95 North, Potlatch, Idaho, in Section 01, Township 42 North, Range 05 West B.M., and is currently referenced as assessor's parcel number RP42N05W010011A.

The Latah County Land Use Ordinance, under section 3.01.03(8), lists mineral resource developments as subject to Section 4.03 as a conditionally permitted use in the Agriculture/Forest (A/F) Zone.

Section 7.01.02 requires:

1. **A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:**
 - A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent that a permitted use in that zone;
 - B. The use will not require facilities or services with excessive costs to the public;
 - C. The use is consistent with the goals and policies of the Latah County Comprehensive Plan.
2. **If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.**
3. **The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their findings of fact and conclusions of law.**

Conditional Use Permits for Mineral Resource Developments must be in compliance with Section 4.03.04 of the land use ordinance as provided to the Commission is Exhibit #1 Criteria Worksheet.

Exhibits will now be entered into the record.

The following exhibits were submitted with the staff packet:

- | | |
|---------------------|--|
| Exhibit #1. | Criteria Worksheet |
| Exhibit #1A. | Vicinity and Comprehensive Plan Land Use Map |
| Exhibit #1B. | Zoning Map |
| Exhibit #1C. | Aerial Photograph and Adjacent Property Owners Map |
| Exhibit #2. | Application Form (Submitted by Applicant) |
| Exhibit #2A. | Applicant's Narrative (Submitted by Applicant) |
| Exhibit 2B. | Site Plan (Submitted by Applicant) |
| Exhibit #2C. | Plant Layout (Submitted by Applicant) |
| Exhibit #2D. | Plant Site (Submitted by Applicant) |
| Exhibit #2E. | Fugitive Dust Plan (Submitted by Applicant) |

Exhibit #2F. Spill Prevention Control and Countermeasure Plan (Submitted by Applicant)
Exhibit #2G. Fire Suppression and Response Plan (Submitted by Applicant)
Exhibit #3. Staff Introduction for Latah County Zoning Commission hearing for CUP #979 held on April 6, 2016

That is all staff has unless the Commission has questions.