



## AGENDA

### PUBLIC PARTICIPATION INFORMATION

Public information on this meeting is posted outside City Hall.

**We welcome you to watch Commission Meetings via live stream.**

You will find this option on our website at [www.ketchumidaho.org/meetings](http://www.ketchumidaho.org/meetings).

**If you would like to comment on a public hearing agenda item, please select the best option for your participation:**

1. Join us via Zoom (*please mute your device until called upon*).  
**Join the Webinar:** <https://ketchumidaho-org.zoom.us/j/89995935865>  
Webinar ID: 899 9593 5865
2. Address the Commission in person at City Hall.
3. • Submit your comments in writing at [participate@ketchumidaho.org](mailto:participate@ketchumidaho.org) (*by noon the day of the meeting*)

*This agenda is subject to revisions. All revisions will be underlined.*

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### CALL TO ORDER:

### ROLL CALL:

### COMMUNICATIONS FROM COMMISSIONERS:

### CONSENT AGENDA:

*ALL ACTION ITEMS - The Commission is asked to approve the following listed items by a single vote, except for any items that a commissioner asks to be removed from the Consent Agenda and considered separately.*

1. ACTION ITEM: Approval of the May 14, 2024 minutes

### PUBLIC HEARING:

2. ACTION ITEM: Recommendation to review and recommend approval to the City Council the Cedars Townhomes Preliminary Plat application, as conditioned, and adopt the Findings of Fact, Conclusions of Law, and Decision.

3. ACTION ITEM: Recommendation to review and approve the 450 Wood River Drive Residence Floodplain Development Permit application, as conditioned, and direct staff to return with the findings of fact.

**NEW BUSINESS:**

**ADJOURNMENT:**



**CITY OF KETCHUM  
MEETING MINUTES OF THE  
PLANNING & ZONING COMMISSION  
Tuesday, May 14, 2024**

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**CALL TO ORDER:** *(00:00:02 in video)*

Brenda Moczygemba called the meeting of the Ketchum Planning and Zoning Commission to order at 4:30 p.m.

**ROLL CALL:**

Neil Morrow \*via zoom  
Susan Passovoy  
Brenda Moczygemba  
Tim Carter  
Matthew McGraw

**ALSO PRESENT:**

Morgan Landers – Director of Planning & Building  
Adam Crutcher – Associate Planner  
Genoa Beiser – Zoning Technician  
Paige Nied – Associate Planner  
Abby Rivin – Senior Planner  
Heather Nicolai - Office Administrator

**COMMUNICATIONS FROM COMMISSIONERS:** *(00:00:30 in video)*

None

**CONSENT AGENDA:** *(00:00:36 in video)*

1. ACTION ITEM: Approval of the April 23, 2024 minutes
2. ACTION ITEM: Recommendation to review and approve the Findings of Fact, Conclusions of Law, and Decision for Warm Springs Preserve Building Design Review Application File No. P23-104

**Motion to approve the entire Consent agenda.** Motion made by Susan Passovoy seconded by Matthew McGraw *(00:00:59 in video)*

**MOVER:** Susan Passovoy

**SECONDER:** Matthew McGraw

**AYES:** Brenda Moczygemba, Susan Passovoy, Matthew McGraw, Tim Carter & Neil Morrow

**NAYS:**

**RESULT: UNANIMOUSLY ADOPTED**

**PUBLIC HEARING:** (00:01:08 in video)

3. ACTION ITEM: Recommend review and approval of the Limelight Subdivision Preliminary Plat application, as conditioned, and adopt the Findings of Fact, Conclusions of Law, and Decision.
- Staff Report-Adam Crutcher, Associate Planner (00:01:25 in video)
  - Commission questions staff and staff responses (00:05:30 in video)
  - Applicant Presentation-None (00:07:20 in video)

**PUBLIC COMMENT OPENED:** (00:07:57 in video)

- Justin Ross (00:08:15 in video)
- Staff response to public comment (00:08:30 in video)

**PUBLIC COMMENT CLOSED:** (00:09:10 in video)

- Commission deliberations (00:09:15 in video)

**Motion to approve** the Limelight Subdivision Preliminary Plat application, as conditioned, and adopt the Findings of Fact, Conclusions of Law, and Decision. Motion made by Tim Carter seconded by Susan Passovoy (00:10:05 in video)

**MOVER:** Tim Carter

**SECONDER:** Susan Passovoy

**AYES:** Brenda Moczygemba, Neil Morrow, Susan Passovoy, Tim Carter & Matthew McGraw

**NAYS:**

**RESULT: UNANIMOUSLY ADOPTED**

**PUBLIC MEETING:** (00:10:24 in video)

4. ACTION ITEM: Recommendation to review and provide feedback on the PreApplication Mountain Overlay Design Review for the development located at 241 Hillside Drive
- Staff Report-Paige Nied, Associate Planner (00:10:42 in video)
  - Commission questions staff and staff responses. (00:17:28 in video)
  - Applicant Presentation-Martin Kaplan, Architect & Owner (00:21:40 in video)
  - Commission comments, questions & direction for applicant. Applicant responses (00:36:40 in video)

**PUBLIC COMMENT OPENED:** (00:44:35 in video)

- Gretchen Flint (00:44:50 in video)
- Commission question for Staff and Staff response (00:46:35 in video)

**PUBLIC COMMENT CLOSED:** (00:47:06 in video)

- Commission discussion direction for applicant (00:47:10 in video)

**NEW BUSINESS:** (01:24:07 in video)

5. Staff Highlights & Updates for Commission (01:24:10 in video)

**ADJOURNMENT:**

**Motion to adjourn at 5:58 p.m.** (01:27:40 in video)

**MOVER:** Susan Passovoy

**SECONDER:** Matthew McGraw

**AYES:** Brenda Moczygemba, Susan Passovoy, Matthew McGraw, Tim Carter, & Neil Morrow

**NAYS:**

**RESULT: UNANIMOUSLY ADOPTED**

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Neil Morrow – P & Z Commissioner

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Morgan Landers – Director of Planning & Building



**CITY OF KETCHUM**

**Planning & Building**

office: 208.726.7801

planningandbuilding@ketchumidaho.org

P.O. Box 2315, 191 5th Street West, Ketchum, ID 83340

ketchumidaho.org

**STAFF REPORT  
KETCHUM PLANNING & ZONING COMMISSION  
REGULAR MEETING OF MAY 28, 2024**

**PROJECT:** Cedars Townhomes

**FILE NUMBER:** P24-013

**APPLICATION TYPE:** Townhouse Subdivision Preliminary Plat

**REPRESENTATIVE:** Bruce Smith, Alpine Enterprises Inc.

**PROPERTY OWNERS:** Skylar Karen Lindsley and Julie Ann Finstad (Unit 1)  
James Thomas and Gayle Kathleen Dunham (Unit 2)

**REQUEST:** To subdivide the existing Cedars Condominiums into two townhouse sublots.

**LOCATION:** 230 Cedar Drive (Cedars Condominiums Units 1 & 2)

**ZONING:** General Residential – Low Density (GR-L)

**OVERLAY:** Avalanche (A)

**NOTICE:** A public meeting notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on May 8, 2024. The notice was published in the Idaho Mountain Express on May 8, 2024. A notice was published on the city’s website on May 13, 2024, and a notice was posted on the project site on May 21, 2024.

**REVIEWER:** Paige Nied – Associate Planner

**I. EXECUTIVE SUMMARY**

The applicant has submitted a townhouse subdivision preliminary plat application to subdivide the Cedars Condominiums into two townhouse sublots (the “project”). The existing configuration of the Cedars Condominiums is two condominium units with associated common area and the resulting configuration is two townhouse sublots with no common area. This project is located at 230 Cedar Drive (the “subject property”) and is zoned General Residential – Low Density (GR-L) and is within the Avalanche (A) zone. The subject property was developed with a structure containing two condominium units and associated common area in 1979. The structure is existing (see Figure 1 below) and no improvements to the site are proposed at this time. Staff support the application, as conditioned, and believes all subdivision criteria are met.



Figure 1. Subject property (highlighted in blue)

## II. BACKGROUND

The Planning and Building Department received the Subdivision application for the project on February 22, 2024. Following the receipt of the application, staff routed the application materials to all city departments for review. After two rounds of review, the application was deemed completed on May 6, 2024. As of the date of this letter, all department comments have been resolved or addressed through conditions of approval recommended below.

## III. CONFORMANCE WITH SUBDIVISION STANDARDS

During Department Review, staff reviewed the preliminary plat application for conformance with KMC 16.04.030 – *Procedures for subdivision approval*, KMC 16.04.040 – *Development and Design*, and KMC 16.04.080 – *Townhouses*. Based on a thorough analysis, staff believes the project complies with all applicable subdivision regulations. A full analysis of the regulations can be found in Attachment C. Below is an overview of some of the more notable criteria and standards.

### Preliminary Plat Contents

Pursuant to KMC 16.04.030.J.17, preliminary plats must include building envelopes on each lot within the A Zone. The Cedars Townhomes preliminary plat does not include building envelopes on the townhouse sublots. To ensure this standard is met, staff recommends condition of approval #2 which requires the applicant to revise the preliminary plat to indicate building envelopes on each townhouse subplot prior to City Council's review of the application.

Additionally, pursuant to KMC 16.04.030.J.12, preliminary plats must indicate the location of water mains. Townhouse sublots are required to have their own individual water services. In the summer of 2023, the applicant installed two new individual water services connected to the City of Ketchum

water system main found on Cedar Drive to accommodate the transition to townhouse units. However, the preliminary plat indicates only one water service to subplot 2. Condition of approval #3 requires the applicant to revise the preliminary plat to indicate the location of the water service line for subplot 1.

Staff believes the proposed preliminary plat application, as conditioned, meets all applicable subdivision requirements and standards for a preliminary plat and townhouse map.

**STAFF RECOMMENDATION:**

Staff recommends **approval** of the Townhouse Subdivision Preliminary Plat application (File No. P24-013) subject to the following conditions of approval:

1. Failure to record a Final Plat within two (2) years of Council’s approval of a Preliminary Plat shall cause the Preliminary Plat to be null and void.
2. Prior to City Council’s review of the preliminary plat application, the applicant shall revise the preliminary plat to include a building envelope on each townhouse subplot.
3. Prior to City Council’s review of the preliminary plat application, the applicant shall revise the preliminary plat to indicate the location of the water service line for subplot 1.

**RECOMMENDED MOTION:**

“I move to recommend approval of the Cedars Townhomes Subdivision Preliminary Plat application, as conditioned, and adopt the Findings of Fact, Conclusions of Law, and Decision.”

**ATTACHMENTS:**

- A. Application and Supplemental Materials
- B. Cedars Townhomes Preliminary Plat
- C. Draft Findings of Fact, Conclusions of Law, and Decision





City of Ketchum

# Attachment A: Application and Supplemental Materials



City of Ketchum  
Planning & Building

OFFICIAL USE ONLY	
Application Number	P24-013
Date Received	2/22/24
By	HLN
Fee Paid	\$3300
Approved Date	
By	

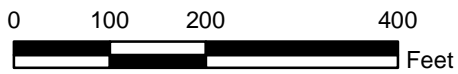
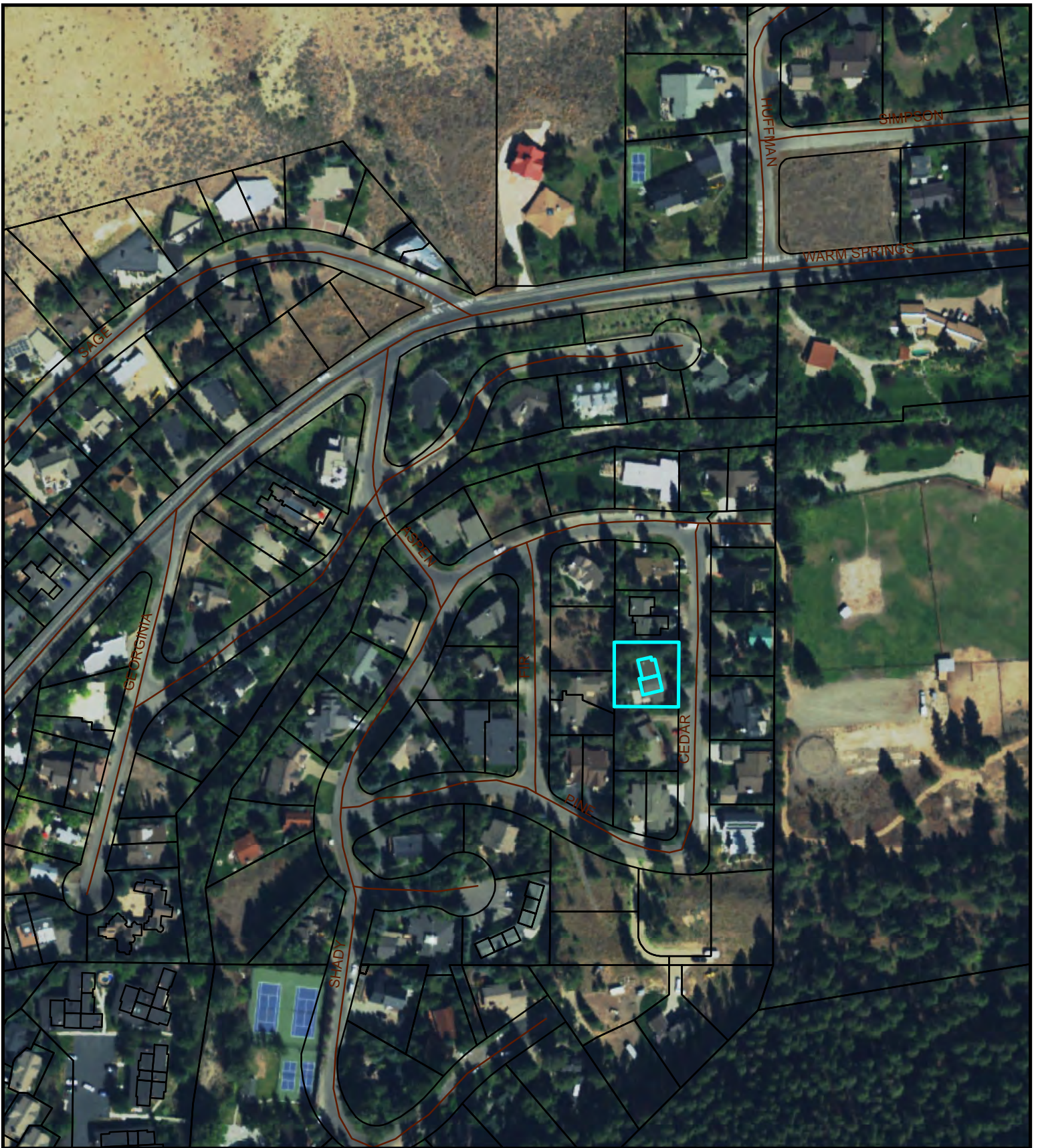
### Subdivision Application

Submit completed application to the Planning and Building Department electronically to [planningandzoning@ketchumidaho.org](mailto:planningandzoning@ketchumidaho.org). Once your application has been received, we will review it and contact you with the next steps. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the city website at: [www.ketchumidaho.org](http://www.ketchumidaho.org) and click on Municipal Code.

APPLICANT INFORMATION			
Name of Proposed Subdivision: The Cedars Townhomes			
Owners of Record: James Thomas and Gayle Kathleen Dunham; Skylar Karen Lindsley and Julie Ann Finstad			
Addresses of Owners: 26009 101st PL SW Vashon, WA, 98070; 2360 43rd Ave. E., Apt 113, Seattle, WA 98112-2703; respectively			
Representative of Owner: Bruce Smith, PLS 7048, Alpine Enterprises Inc.			
Legal Description: Units 1 & 2, The Cedars Condominiums RPK 07470000000-10-20			
Street Address: Units 1 & 2, 230 Cedar Drive, Ketchum, ID, 83340			
SUBDIVISION INFORMATION			
Number of Lots/Parcels: 2 Condominium Units into 2 Townhouse Sublots			
Total Land Area: ±10,000 Sq. Ft., ± 0.23 Ac.			
Current Zoning District: GR-L, General Residential Low Density			
Proposed Zoning District: Same as above			
Overlay District: Avalanche			
TYPE OF SUBDIVISION			
Condominium <input type="checkbox"/>	Land <input type="checkbox"/>	PUD <input type="checkbox"/>	Townhouse <input checked="" type="checkbox"/>
Adjacent land in same ownership in acres or square feet: N/A			
Easements to be dedicated on the final plat:			
None New			
Briefly describe the improvements to be installed prior to final plat approval:			
None New			
ADDITIONAL INFORMATION			
All lighting must be in compliance with the City of Ketchum's Dark Sky Ordinance			
One (1) copy of Articles of Incorporation and By-Laws of Homeowners Associations and/or Condominium Declarations			
One (1) copy of current title report and owner's recorded deed to the subject property			
One (1) copy of the preliminary plat			
All files should be submitted in an electronic format to <a href="mailto:planningandzoning@ketchumidaho.org">planningandzoning@ketchumidaho.org</a>			

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Subdivision Application in which the City of Ketchum is the prevailing party to pay reasonable attorney's fees and costs, including fees and costs of appeal for the City of Ketchum. Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortuous conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Bruce Smith Bruce Smith, PLS, Representative 12 FEB 24  
Applicant Signature Date



A Vicinity Map Showing  
The Cedars Condominiums  
230 Cedar Drive  
City of Ketchum  
Blaine County, Idaho

Aerial Imagery is NAIP 2021

ALPINE ENTERPRISES INC.

PO Box 2037  
660 Bell Drive, Unit 1  
Ketchum, Idaho  
208-727-1988

January 2023

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

Sun Valley Law PLLC  
111 North Main Street Suite B  
Post Office Box 6200  
Ketchum, Idaho 83340  
(208) 726-5962  
(208) 913-0500 (fax)

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(Space above line for Recorder's use only.)

COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE CEDARS TOWNHOMES

GAYLE K. DUNHAM and JAMES T. DUNHAM, a married couple, and SKYLER KAREN LINDSLEY and JULIE ANN FINSTAD, a married couple (collectively, all four owners are referred to as "Current Owners"), who are all the current fee simple title holders of the following described real property agree to terminate the following:

THE CONDOMINIUM DECLARATION FOR CEDARS CONDOMINIUMS, recorded on April 22, 1980 as Blaine County Instrument No. 202892 (the "Declaration"), any amendments to the Declaration, and any bylaws included or contemplated in the Declaration; and,

THE CEDARS CONDOMINIUMS plat, recorded on April 22, 1980, as Blaine County Instrument No. 202893 and any amendments to the Cedars Condominiums plat.

To replace the above, the Current Owners make this DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE CEDARS TOWNHOMES (the "Declaration"), effective at the time of recording in Blaine County, Idaho, for and governing the Sublots and Members (as those terms are defined below) of the following described real property:

Sublot A and Sublot B of THE CEDARS TOWNHOMES subdivision plat recorded as Blaine County Instrument No. \_\_\_\_\_ ("Plat").

This Declaration and the Plat become a covenant that runs with, binds, and encumbers the Cedars Townhomes (as defined below) and the Current Owners of the Cedar Townhomes, and their successors in interest.

1. Definitions

“Association” means the Cedars Townhomes Association, an unincorporated Idaho association. The Association collects and pays for the Common Expenses for the Common Elements.

“Cedar Townhomes” means both Sublots on the Plat.

“Common Elements” means the Townhome exteriors including without limitation the exterior walls and siding, excluding windows and doors, the roof(s), including roof venting, utilities common to both Townhomes or Sublots, the foundation, all structural components, structural elements of the Party Walls, and components common to both Townhomes of Sublots, including, but not limited to, landscaping. Common Elements do not include electrical, plumbing, and other utilities that service only one Townhome, insulation, drywall, fixtures, cabinets, or flooring, including subflooring.

“Common Expense(s)” means all Maintenance for Common Elements, including without limitation, insurance, fees of independent contractors, wages of workers, costs of materials, accounting fees, legal fees, management fees, and any other expenses and liabilities incurred by the Association, by reason of this Declaration.

“Law” means any law or regulation of the United States, State of Idaho, City of Ketchum, and any other government entities or agencies which have authority over

“Exterior” means the exterior walls of the Townhomes, to the point of the exterior side of the studs for framing, including, without limitation, all material exterior to the studs or framing such as plywood, weather wrap, and siding, but excluding windows, or electrical or plumbing fixtures; and also means the exterior of the roof to the point the roof’s sheeting is affixed to the roof framing including, without limitation, sheeting, water-and-ice shield, underlayment, shingles, snow clips, flashing, venting, gutters, and downspouts and heat tape (if any). Satellite dishes and other such affixtures which govern only one Townhome, if any, are not part of the Exterior of the Townhomes.

“Maintain,” and all variations of the word, means without limitation, to construct, enforce, improve, modify, operate, repair, replace, remove, or rebuild. When Maintenance is governed by Law, all Maintenance must comply with the Law including, without limitation, obtaining building permits or professional services.

“Member,” singular or plural, means an individual or individuals or other legal entity or entities holding an aggregate fee simple title interest in one Sublot, but shall not include those having such interest merely as security for the performance of an obligation, such as a mortgagee, trustee, or beneficiary of a deed of trust. While either Sublot there may have multiple Owners for each Sublot, there are only two Members: Sublot 1 and Sublot 2. Each Sublot only has one vote, regardless of the number of actual fee simple title holders.

“Owner,” singular or plural, means any person(s) and/or entity(s) that has a fee-simple title interest in Lot 1 or Lot 2.

“Party Wall” means the common party wall between the Townhomes including, without limitation, the drywall on the Party Wall, the structural, framing, plumbing, electrical, and other utilities or wiring within the Party Wall, and the roof structure above the Party Wall, but excluding the wall coverings such as paint or wallpaper. The Party Wall is situated approximately on the line between the Sublots and divide the Townhomes.

“Personal Property” means all chattel owned by an owner that is not typically included in the sale of structures on real property including, without limitation, electronics, furniture, sporting equipment, vehicles, clothing, jewelry, kitchen utensils, art,

“Sublot”, singular or plural, means Sublot 1, Sublot 2, according to the Plat, or both, as further defined by Law.

“Townhome”, singular or plural, means an individual residential dwelling unit on each Sublot as defined by Law and this Declaration.

## 2. Maintenance Responsibility and Damage

a. Sublots. The Association shall Maintain both Sublots, less the Townhomes, in a manner consistent with other high-end developments in the Wood River Valley.

b. Party Wall and Exterior. The Association will Maintain the Party Wall and the Exterior.

c. Townhomes. Members shall Maintain their individual Townhomes, less the Party Wall, and the Exterior.

d. Damage. In the event of damage to, or the destruction of, the Sublots, the Party Wall, and/or the Exterior caused by an Owner through uninsured acts or omissions of an Owner, then the Association shall, at Association expense, repair and rebuild the Common Elements damaged. If either the Association does not pay that Owner’s share of the costs, or all of such costs in the case of the above-described act or omission, the other Owner may have the Common Elements Maintained and shall be entitled to have the Association impose an assessment for those costs and an assessment lien against the other Townhome, pursuant to all procedures described in this Declaration for Assessments.

## 3. Insurance

a. Types of Insurance. The Association shall, at a minimum, obtain and keep in full force and effect at all times the following insurance coverage provided by companies duly authorized to do business and underwrite insurance in Idaho. The Association may comply with

any insurance requirements by the purchase of blanket coverage and may elect such deductible amounts as, in the Association's opinion, are consistent with good business judgment.

(1) Casualty. The Association shall obtain property insurance on the Common Elements and Townhomes in such amounts as shall provide for full replacement in the event of damage or destruction from casualty against which the insurance is obtained and the Association shall carry the primary insurance covering such loss. Such insurance shall include fire and extended coverage, vandalism, and malicious mischief, if available, and such other risks and hazards against which the Association shall deem it appropriate to provide insurance protection against, in the exercise of good business judgment. Flood and earthquake insurance are not required; however, may be obtained by the Association.

(2) Public Liability and Property Damage. The Association shall purchase broad form comprehensive liability coverage in such amounts and such forms as it deems advisable to provide adequate protection for Owners. Coverage may include, without limitation, liability for personal injuries, and activities in connection with the Maintenance and other use of the Common Elements and Townhomes.

b. Form. Casualty insurance shall be carried in a form or forms naming the Association the insured as trustee for the Owners, which policy or policies shall specify the interest of each Owner and which policy or policies shall provide a standard loss payable clause providing for payment of insurance proceeds to the Association as trustee for the Owners and for the respective first deeds of trust, which from time to time shall give notice to the Association of such first deeds of trust, such proceeds to be used in accordance with this Declaration. Each policy shall also provide that it cannot be canceled by either the insured or the insurance company until after thirty (30) days prior written notice is given first to each Owner and each first deed of trust holder. The Association shall furnish to each Owner, who requests it, a true copy of such policy together with a certificate identifying the interest of each Owner. All policies of insurance shall provide the insurance shall only be invalidated or suspended with respect to the interest of any particular Owner who is in noncompliance with any provision of such policy that would otherwise invalidate or suspend the entire policy. All policies of insurance shall provide further that the insurance under any such policy as to the interest of all other insured Owners not guilty of any such act or omission, shall not be invalidated or suspended and shall remain in full force and effect. Public liability and property damage insurance shall name the Association and the Owners the insureds.

c. Insurance Proceeds. The Association shall receive the proceeds of any casualty insurance payments received under policies. The Owners shall apportion the proceeds to the portions of the Townhomes which have been damaged and shall determine the amount of the proceeds attributable to the damage for each Townhome.

d. Premiums. The Association shall pay insurance premiums.

e. Owner's Individual Insurance. Each Owner must obtain insurance at the Owner's sole expense providing coverage for an Owner's Personal Property that is not covered by the Association's policy of insurance, for personal and excess liability, and covering such other risks as the Owner deems appropriate, but each such policy shall provide that it does not reduce the Association's insurance coverage or liability arising under the Association's insurance policies.

#### 4. Assessments

a. Authority. The Association has the authority to assess each Owner and shall collect from each Owner, as outlined in this Declaration, amounts sufficient to pay any and all current liabilities and any and all liabilities the Association anticipates in no more than the next twelve (12) consecutive calendar months. The Association shall have the authority to assess each Owner and shall collect from each Owner, at any time, amounts sufficient to pay any and all current liabilities and any and all liabilities the Association anticipates in greater than the next twelve (12) consecutive calendar months, including without limitation, for capital reserve. The Association shall send by regular mail, postage prepaid, all invoices for all assessments, which shall be due upon the date of mailing and paid by an Owner to the Association no later than thirty (30) days after the date of mailing. Invoices may be sent via e mail if agreed to by the Owner receiving the email.

b. Owner's Share. Except as set out below, the Owner of Sublot A will pay fifty-six percent (56%) of the Common Expenses, and the Owner of Sublot B will pay forty-four percent (44%), unless the Association otherwise assesses an individual Owner as set out in this Declaration.

c. Accounting. Within sixty (60) days at the end of each of the Association's fiscal years, upon an Owner's request, the Association shall provide a notice to that Owner, at that Owner's expense, if any, containing an accounting of all receipts and an itemization of all disbursements of the Association for the prior calendar year.

d. Past-Due Amounts. Any Owner's assessment remaining unpaid more than thirty (30) days after the date of mailing shall begin to accrue interest from the date due (which is the date the assessment is mailed) at the interest rate for money past due in Idaho Code section 28-22-104, as it may be amended, but which is currently twelve percent (12%) per annum, until the Association receives the assessment and any all outstanding interest and other charges in full. The Association shall first credit all amounts an Owner pays to charges the Association incurs to collect the assessment, then to accrued interest, then to the principal amount of the then oldest unpaid assessment. Any assessment remaining unpaid more than sixty (60) days after the date of mailing, including accrued interest and charges the Association incurs to collect the assessment, shall automatically become a lien upon that Owner's Sublot. At any time after the unpaid assessment becomes a lien upon an Owner's Sublot, the Association may record a notice of assessment lien against the non-paying Owner's Sublot stating the amount of the unpaid assessment or assessments, the accrued interest and charges the Association has incurred to collect the assessment through the date of recording the notice. The other Sublot



Owner shall sign the notice, have the signature acknowledged and verified under Idaho law by a notary public and record the notice in the real property records of Blaine County, Idaho. The lien continues until the non-paying Owner has paid in full all assessments, accrued interest and charges the Association has incurred to collect the assessment. Under the express terms of this Declaration, an Owner expressly agrees by purchasing a Sublot that unpaid assessments on any Sublot, whether or not recorded as a lien, shall be a binding obligation upon the Sublot and also the individual Owner and any type of successor in interest, jointly and severally with the former Owner of that Sublot. The Association shall enforce such obligations against successors in interest as set forth in this Declaration. When an Owner has paid a lien, assessment or any new assessments, accrued interest and the charges the Association has incurred to collect the assessment in full, the Association shall sign, have acknowledged and record a notice in the real property records of Blaine County, Idaho that the Owner has paid the lien in full. The Association may foreclose a lien that remains unpaid for ninety (90) days in the same manner as provided in the laws of the State of Idaho for the foreclosure of liens on real property and as otherwise provided by law. An Owner also shall have the right to sue the other Owner directly for non-payment of half the Common Expenses, record a judgment in the real property records of Blaine County, and foreclose such judgment.

#### 5. Easements

Each Owner grants to the other Owner a reciprocal utility easement over and under each Townhome and Sublot. Any utility lines, pipes, or other such conduits not currently existing, at the time this Declaration are recorded, must be either buried under the Sublot or in the crawlspace of the Townhome. The use of an easement shall not unduly interfere with an Owner's use and quiet enjoyment of an Owner's Townhome. Nothing contained in this section establishes a view easement or view corridor provided; however, that views may be taken into consideration during design review.

#### 6. Design Review

a. Requirement. An Owner is required to submit to the other Owner for advance written approval anything an Owner is required to submit to Ketchum's Building Department ("Building Department"). However, any modifications exclusively to interior portions of a Townhome that does not require a building permit does not require the other Owner's approval.

b. Submittal. Prior to, but no later than the time an Owner makes a submission to the Building Department, an Owner shall submit to the other Owner a set of the following information, where applicable: Schematic drawings at a scale of not less than one-eighth of one inch (1/8") equals one foot (1') including floor plans, elevations, cross sections dimensions of all improvements for which Owner submitted for a building permit. Additionally, if the plans for an improvement approved by the other Owner change in any way that alters the improvement in any way from the approved plans, an Owner is required to obtain written

approval for the modification from the other Owner prior to making an improvement in accordance with a modification to the plans.

c. Criteria. The other Owner shall make all reasonable efforts to review proposed development on any Sublot within thirty (30) days of its receipt of a complete submittal and with regard to the following standards, criteria and factors:

(1) The proposed improvements, construction, landscaping and alterations to the Sublot and Townhome conforms and harmonizes with the existing improvements with respect to design, materials, colors and topography and the other Townhome and Sublot.

(2) The proposed development will not adversely impact the other Sublot or Townhome.

(3) The proposed development will not unduly or unnecessarily obstruct the existing view corridor from the other Townhome and Sublot.

(4) The proposed development will not unduly interfere with the privacy of the other Townhome and Sublot.

(5) The proposed plan for pedestrian access and parking on a Sublot allows for snow removal and storage, provides for safe and convenient circulation and is designed to minimize adverse impact upon the other Sublots with regard to noise, light and visual impact.

(6) Landscaping provides relief and screening as necessary, with respect to visual impact.

(7) In applying this criteria and all other criteria set out in this paragraph, the reviewing Owner shall balance discretion and determination of the term "reasonable" with whether or not it is imposing conditions that impinge on an Owner's private property rights and how or whether those are offset by the protection of the other Owners' private property rights.

e. Inspections. The Owner making the improvements shall allow the other Owner to make regular exterior inspections of at least one (1) per calendar week, at reasonable times of day, during the course of construction of any and all improvements approved by the other Owner.

## 7. Rules

The Association, with all Owners approval, may make Rules governing the use of Sublots and Townhomes. The initial rules shall be as follows:

a. Owners shall keep Townhomes in a neat, clean, orderly and well-maintained appearance. No Owner shall commit or allowed to be committed in any Townhome or on a

Sublot any waste or nuisance or store any hazardous substances, as those terms are defined by federal law, Idaho Code, or the Ordinance. No Owner shall do anything which jeopardizes or increases the rate of the insurance coverage required in this Declaration.

b. No improvement, whether Common Elements or a Townhome shall fall into disrepair, and each Townhome shall at all times be kept in good condition and repair.

c. A Sublot is limited to a total of three vehicles, all of which must be parked in the garages or driveway. Vehicles must be operational, have current registration, and be legally allowed to drive on public streets in Idaho.

d. No animals may be kept on the Sublots or in the Townhomes except two (2) dogs and two (2) cats per Sublot; no exotic, dangerous or aggressive animals of any kind shall be raised, bred or kept on any Sublot, except that household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose and not left outdoors overnight. Owners must clean up all their own pet's waste, regardless of location, and not leave any outside food dishes, so as to avoid conflict with wild animals or roaming pets. Pitbulls, Doberman Pinschers, and Akita dog breeds are considered to be vicious animals.

e. Satellite dishes of no greater than two (2) feet in diameter may be affixed to the exterior of dwelling units in inconspicuous locations.

f. No sign of any kind, other than a standard real estate marketing sign, shall be displayed to the public view without the approval of the other Owner.

g. No gainful occupation, profession, trade or other non-residential use except for a "home occupation" as that term is defined in the Ordinance shall be conducted on any Sublot. Nothing in this Declaration shall prevent the rental of an entire Sublot for residential purposes, on either a short or long-term basis.

h. Trash and recycling must be taken from inside a Townhome and placed directly into a Ketchum approved container, which shall be kept within an enclosed structure to which wildlife cannot access. No trash or recycling shall be kept outside a Townhome at any time other than the day of pickup in Ketchum approved containers. No lumber, grass, shrub or tree clippings or plant waste, metals, bulk materials or scrap shall be kept, stored or allowed to accumulate on any Sublot, except within an enclosed structure or screened from view.

i. No activities shall be conducted or improvements made in Cedars Townhomes, which are or might be unsafe or hazardous to any person or property, including without limitation no firing of any weapons and no open fires shall be lighted or permitted on any property except while personally attended at all times, and in a contained barbecue unit or outdoor fireplace, specifically, fire pits, and completely extinguished at reasonable hours.

j. No obnoxious or offensive activities shall be conducted in a Townhome or Sublot. Nothing shall be done within the Townhome or on the Sublots that may be or may become an annoyance or nuisance to the residents of the other Townhome, or that in any way interferes with the quiet enjoyment of the occupants of the Townhome, including, but not limited to noxious odors, fumes or loud noises.

#### 8. Miscellaneous Provisions

a. Entire Agreement. This is the entire Declaration, unless and until amended.

b. Choice of Law. This Declaration shall be interpreted and enforced under the laws of the State of Idaho.

c. Dispute Resolution. The Association or an Owner, individually, shall have the right to enforce any or all of the provisions of this Declaration upon a Sublot or Owner. The failure of the Association or an Owner to enforce any of the provisions of this Declaration at any time shall not constitute a waiver by the Association of the right to enforce any such provision or any other provisions of this Declaration. Except for the enforcement of a lien, the Association or Owners shall submit any dispute arising out of or related to this Declaration to at least two (2) sessions of mediation of at least two (2) consecutive hours each session by all Owners prior to commencing any litigation. The parties shall use a mediator or mediators acceptable to both parties and bear equally the costs of mediation. Each Owner agrees to pay its own attorney fees incurred prior to and during a mediation.

d. Attorneys' Fees and Costs. The prevailing party in any litigation to enforce any provision or part of this Declaration shall be entitled to reimbursement from the non-prevailing party of all costs and attorney's fees, including without limitation attorney fees incurred on appeal or in bankruptcy court.

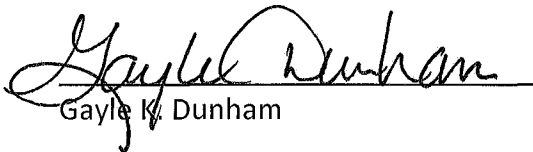
e. Binding Effect. This Declaration shall inure to the benefit of and shall be binding upon the Association and the Owner of any interest in a Sublot, and all their family, assigns, successors in interest, personal representatives, trustees and heirs.

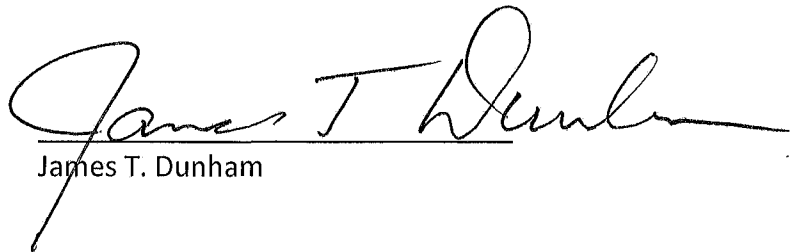
f. Interpretation. The Owners waive the right to make any argument interpreting any ambiguity in this Declaration against the Association or each other as a result of having drafted this Declaration.

g. No Retroactivity. This Declaration shall not apply retroactively or prior to the date of recording, and nothing in this Declaration shall have the effect of overturning or changing any approvals given by the Association for Sublots prior to recording this Declaration, and the recording of this Declaration shall not apply new or different criteria or conditions to past approvals.

h. Amendment. The provisions of this Declaration, including this paragraph, may be amended by an instrument in writing signed and acknowledged by both Owners. Any amendment shall be recorded in the Blaine County real property records to be effective. This Declaration and any amendment shall not defeat or render a beneficiary's rights invalid under a Deed of Trust recorded against a Sublot made in good faith and for value, prior to the recording of this Declaration or any amendment, provided that after the foreclosure of any Deed of Trust the Sublot shall remain subject to this Declaration as amended.

i. Association. The Association, only by both Owners signing, may contract with any third party, independent contractor, and/or employee to perform any and all of their collective responsibilities set out in this Declaration. Any reference to the Association in this Declaration includes a third party, independent contractor, and/or employee acting on the Association's behalf.

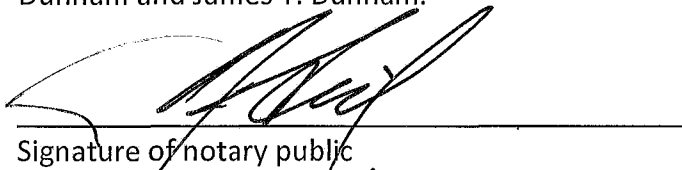
  
Gayle K. Dunham

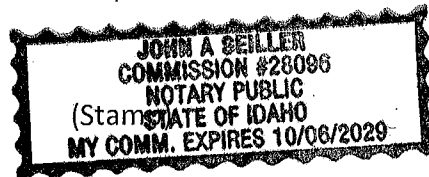
  
James T. Dunham

State of Idaho

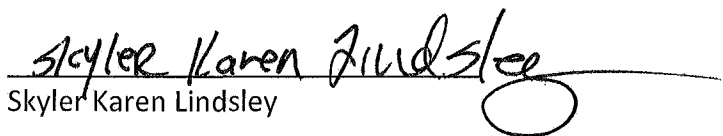
County of Blaine

This record was acknowledged before me on February 12, 2024, by Gayle K. Dunham and James T. Dunham.

  
Signature of notary public



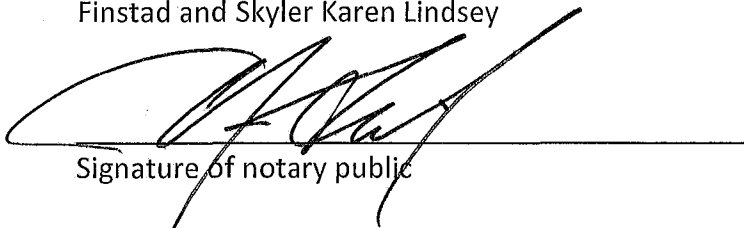
  
Julie Ann Finstad

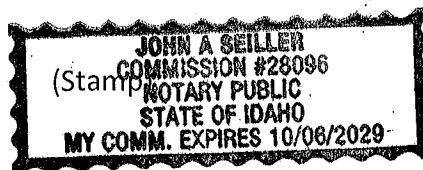
  
Skyler Karen Lindsley

State of Idaho

County of Blaine

This record was acknowledged before me on February 12, 2024, by Julie Ann Finstad and Skyler Karen Lindsey

  
Signature of notary public





**CLTA GUARANTEE**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY  
A CORPORATION, HEREIN CALLED THE COMPANY

**SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE, AND SUBJECT TO THE FURTHER EXCLUSION AND LIMITATION THAT NO GUARANTEE IS GIVEN NOR LIABILITY ASSUMED WITH RESPECT TO THE IDENTITY OF ANY PARTY NAMED OR REFERRED TO IN SCHEDULE A OR WITH RESPECT TO THE VALIDITY, LEGAL EFFECT OR PRIORITY OF ANY MATTER SHOWN THEREIN.**

**GUARANTEES**

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

**Dated: November 3, 2022**

Signed under seal for the Company, but this endorsement is to be valid only when it bears an authorized countersignature.

Countersigned by:


\_\_\_\_\_  
Authorized Countersignature

\_\_\_\_\_  
TitleOne  
Company Name

\_\_\_\_\_  
271 1st Ave North  
PO Box 2365  
Ketchum, ID 83340  
\_\_\_\_\_  
City, State



  
\_\_\_\_\_  
Frederick H. Eppinger  
President and CEO

  
\_\_\_\_\_  
David Hisey  
Secretary

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the company for further information as to the availability and cost.

## GUARANTEE CONDITIONS AND STIPULATIONS

1. **Definition of Terms** - The following terms when used in the Guarantee mean:
  - (a) "the Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
  - (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
  - (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
  - (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
  - (e) "date": the effective date.
2. **Exclusions from Coverage of this Guarantee** - The Company assumes no liability for loss or damage by reason of the following:
  - (a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
  - (b) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water; whether or not the matters excluded by (1), (2) or (3) are shown by the public records.
  - (c) Assurances to title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A)(C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
  - (d) (1) Defects, liens, encumbrances or adverse claims against the title, if assurances are provided as to such title, and as limited by such assurances.  
(2) Defects, liens, encumbrances, adverse claims or other matters (a) whether or not shown by the public records, and which are created, suffered, assumed or agreed to by one or more of the Assureds; (b) which result in no loss to the Assured; or (c) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of assurances provided.
3. **Notice of Claim to be Given by Assured Claimant** - An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured under this Guarantee unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.
4. **No Duty to Defend or Prosecute** - The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.
5. **Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate** - Even though the Company has no duty to defend or prosecute as set forth in Paragraph 4 above:
  - (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
  - (b) If the Company elects to exercise its options as stated in Paragraph 5(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
  - (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.
  - (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.
6. **Proof of Loss or Damage** - In addition to and after the notices required under Section 3 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such Assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by an authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.
7. **Options to Pay or Otherwise Settle Claims: Termination of Liability** - In case of a claim under this Guarantee, the Company shall have the following additional options:
  - (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.

## GUARANTEE CONDITIONS AND STIPULATIONS

The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price. Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5, and the Guarantee shall be surrendered to the Company of cancellation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5.

- 8. Determination and Extent of Liability** - This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the exclusions stated in Paragraph 2.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- the amount of liability stated in Schedule A;
- the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 7 of these Conditions and Stipulations or as reduced under Section 10 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
- the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

**9. Limitation of Liability**

(a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.

(b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.

(c) The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

- 10. Reduction of Liability or Termination of Liability** - All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 5 shall reduce the amount of liability pro tanto.

**11. Payment Loss**

(a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.

(b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

- 12. Subrogation Upon Payment or Settlement** - Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant.

The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies.

If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

- 13. Arbitration** - Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$1,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$1,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules. A copy of the Rules may be obtained from the Company upon request.

**14. Liability Limited to This Guarantee; Guarantee Entire Contract**

(a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.

(b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.

(c) No amendment or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

- 15. Notices, Where Sent** - All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at P. O. Box 2029, Houston, TX 77252-2029.



LOT BOOK GUARANTEE  
Issued By  
Stewart Title Guaranty Company

SCHEDULE A

File No. 22465766  
State: ID  
County: Blaine

<u>Guarantee No.</u>	<u>Liability</u>	<u>Date of Guarantee</u>	<u>Fee</u>
G-0000803583258	\$1,000.00	November 3, 2022 at 7:30 a.m.	\$140.00

Name of Assured:  
Alpine Enterprises

The assurances referred to on the face page hereof are:

1. That, according to the Company's property records relative to the following described land (but without examination of those Company records maintained and indexed by name):

Condominium Unit 1, as shown on the Condominium Map for CEDARS CONDOMINIUMS, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 202893, and as defined and described in the Condominium Declaration for the Cedars Condominiums, recorded as Instrument No. 202892, records of Blaine County, Idaho.

2. The last recorded instrument purporting to transfer title to said land is:

Deed Type: Quit Claim Deed

Grantors: Skyler K. Lindsley, a single woman and Julie A. Finstad, a single woman

Grantees: Skyler Karen Lindsley, a single woman and Julie Ann Finstad, a single woman, as joint tenants with rights of survivorship, and not as tenants in common

Recorded Date: April 22, 2005

Instrument: 519078

[Click here to view](#)

3. There are no mortgages or deeds of trust which purport to affect title to said land, other than those shown below under Exceptions.
4. There are no (homesteads, agreements to convey, attachments, notices of non-responsibility, notices of completion, tax deeds) which purport to affect title to said land, other than shown below under Exceptions.
5. No guarantee is made regarding (a) matters affecting the beneficial interest of any mortgage or deed of trust which may be shown herein as an exception, or (b) other matters which may affect any such mortgage or deed of trust.
6. No guarantee is made regarding any liens, claims of liens, defects or encumbrances other than those specifically provided for above, and, if information was requested by reference to a street address, no guarantee is made that said land is the same as said address.

EXCEPTIONS:

1. NOTE: According to the available records, the purported address of the land referenced herein is:

230 Cedar Dr 1, Ketchum, ID 83340

2. Taxes for the year 2021 are paid in full.

Parcel Number: RPK07470000010

Original Amount: \$3,137.76

3. Taxes, including any assessments collected therewith, for the year 2022 which are a lien not yet due and payable.

4. The land described herein is located within the boundaries of the City of Ketchum and is subject to any assessments levied thereby.
5. Liens, levies, and assessments of the Management Body, if any, as outlined in the Condominium Declaration.
6. Easements, reservations, restrictions, and dedications as shown on the official plat of [Warm Springs Village Subdivision Third Addition](#).
7. Easements, reservations, restrictions, and dedications as shown on the official plat of [Cedars Condominiums](#).
8. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded June 23, 1924 as Instrument No. [55385](#) and Amended by [58955](#), records of Blaine County, ID.
9. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
10. Terms and conditions contained in a/an Affidavit as to Identification of Plats and Descriptions of Real Property, Re. Avalanches.  
Recorded: October 10, 1979  
Instrument No.: [197578](#), records of Blaine County, ID.
11. Terms, provisions, covenants, conditions, restrictions and easements provided in a Condominium Declaration but omitting any covenants, conditions or restrictions, if any, to the extent that such violates 42 USC 3604 (c) or any other ordinance, statute or regulation.  
Recorded: April 22, 1980  
Instrument No.: [202892](#), records of Blaine County, ID.

Sun Valley Title  
By:



Nick Busdon, Authorized Signatory

JUDGMENT AND TAX LIEN GUARANTEE

Issued By  
Stewart Title Guaranty Company

SCHEDULE A

Amount of Liability: \$1,000.00

Fee Amount: \$0.00

Guarantee No.: G-0000803583258

Name of Assured: Alpine Enterprises

Date of Guarantee: November 3, 2022

That, according to the indices of the County Recorder of Blaine County, State of ID, for a period of 10 years immediately prior to the date hereof, there are no

- \* Federal Tax Liens
- \* Abstracts of Judgment, or
- \* Certificates of State Tax Liens

filed, or recorded against the herein named parties, other than those for which a release appears in said indices and other than those shown under Exceptions.

The parties referred to in this guarantee are as follows:

Skyler Karen Lindsley, a single woman, and Julie Ann Finstad, a single woman, as joint tenants with rights of survivorship, and not as tenants in common

Sun Valley Title  
By:



Nick Busdon, Authorized Signatory

File No. 22465766

SCHEDULE B

Exceptions:

NONE



**CLTA GUARANTEE**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY  
A CORPORATION, HEREIN CALLED THE COMPANY

**SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE, AND SUBJECT TO THE FURTHER EXCLUSION AND LIMITATION THAT NO GUARANTEE IS GIVEN NOR LIABILITY ASSUMED WITH RESPECT TO THE IDENTITY OF ANY PARTY NAMED OR REFERRED TO IN SCHEDULE A OR WITH RESPECT TO THE VALIDITY, LEGAL EFFECT OR PRIORITY OF ANY MATTER SHOWN THEREIN.**

**GUARANTEES**

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

**Dated: October 17, 2022**

Signed under seal for the Company, but this endorsement is to be valid only when it bears an authorized countersignature.

Countersigned by:


\_\_\_\_\_  
Authorized Countersignature

\_\_\_\_\_  
TitleOne  
Company Name

\_\_\_\_\_  
271 1st Ave North  
PO Box 2365  
Ketchum, ID 83340  
\_\_\_\_\_  
City, State



  
\_\_\_\_\_  
Frederick H. Eppinger  
President and CEO

  
\_\_\_\_\_  
David Hisey  
Secretary

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the company for further information as to the availability and cost.

## GUARANTEE CONDITIONS AND STIPULATIONS

- 1. Definition of Terms** - The following terms when used in the Guarantee mean:
  - (a) "the Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
  - (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
  - (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
  - (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
  - (e) "date": the effective date.
- 2. Exclusions from Coverage of this Guarantee** - The Company assumes no liability for loss or damage by reason of the following:
  - (a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
  - (b) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water; whether or not the matters excluded by (1), (2) or (3) are shown by the public records.
  - (c) Assurances to title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A)(C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways on which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
  - (d) (1) Defects, liens, encumbrances or adverse claims against the title, if assurances are provided as to such title, and as limited by such assurances.  
(2) Defects, liens, encumbrances, adverse claims or other matters (a) whether or not shown by the public records, and which are created, suffered, assumed or agreed to by one or more of the Assureds; (b) which result in no loss to the Assured; or (c) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of assurances provided.
- 3. Notice of Claim to be Given by Assured Claimant** - An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured under this Guarantee unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.
- 4. No Duty to Defend or Prosecute** - The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.
- 5. Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate** - Even though the Company has no duty to defend or prosecute as set forth in Paragraph 4 above:
  - (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
  - (b) If the Company elects to exercise its options as stated in Paragraph 5(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
  - (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.
  - (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.
- 6. Proof of Loss or Damage** - In addition to and after the notices required under Section 3 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such Assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by an authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.
- 7. Options to Pay or Otherwise Settle Claims: Termination of Liability** - In case of a claim under this Guarantee, the Company shall have the following additional options:
  - (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.

## GUARANTEE CONDITIONS AND STIPULATIONS

The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price. Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5, and the Guarantee shall be surrendered to the Company of cancellation.

- (b) **To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.**

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 5.

- 8. Determination and Extent of Liability** - This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the exclusions stated in Paragraph 2.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- (a) the amount of liability stated in Schedule A;
- (b) the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 7 of these Conditions and Stipulations or as reduced under Section 10 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
- (c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

**9. Limitation of Liability**

(a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.

(b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.

(c) The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

- 10. Reduction of Liability or Termination of Liability** - All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 5 shall reduce the amount of liability pro tanto.

**11. Payment Loss**

(a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.

(b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

- 12. Subrogation Upon Payment or Settlement** - Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant.

The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies.

If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

- 13. Arbitration** - Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$1,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$1,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules. A copy of the Rules may be obtained from the Company upon request.

**14. Liability Limited to This Guarantee; Guarantee Entire Contract**

(a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.

(b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.

(c) No amendment or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

- 15. Notices, Where Sent** - All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at P. O. Box 2029, Houston, TX 77252-2029.

LOT BOOK GUARANTEE  
Issued By  
Stewart Title Guaranty Company

SCHEDULE A

File No. 22464715  
State: ID  
County: Blaine

<u>Guarantee No.</u>	<u>Liability</u>	<u>Date of Guarantee</u>	<u>Fee</u>
G-0000761333938	\$1,000.00	October 17, 2022 at 7:30 a.m.	\$140.00

Name of Assured:  
Alpine Enterprises, Inc.

The assurances referred to on the face page hereof are:

1. That, according to the Company's property records relative to the following described land (but without examination of those Company records maintained and indexed by name):

Condominium Unit 2, as shown on the Condominium Map for CEDARS CONDOMINIUMS, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 202893, and as defined and described in the Condominium Declaration for the Cedars Condominiums, recorded as Instrument No. 202892, records of Blaine County, Idaho.

2. The last recorded instrument purporting to transfer title to said land is:

Deed Type: Personal Representatives Deed  
Grantors: Linda W. Fitzgerald, as personal representative of the Estate of Wilma A. Waters, deceased  
Grantees: Gayle Kathleen Dunham and James Thomas Dunham  
Recorded Date: September 20, 2022  
Instrument: 696315  
[Click here to view](#)

3. There are no mortgages or deeds of trust which purport to affect title to said land, other than those shown below under Exceptions.
4. There are no (homesteads, agreements to convey, attachments, notices of non-responsibility, notices of completion, tax deeds) which purport to affect title to said land, other than shown below under Exceptions.
5. No guarantee is made regarding (a) matters affecting the beneficial interest of any mortgage or deed of trust which may be shown herein as an exception, or (b) other matters which may affect any such mortgage or deed of trust.
6. No guarantee is made regarding any liens, claims of liens, defects or encumbrances other than those specifically provided for above, and, if information was requested by reference to a street address, no guarantee is made that said land is the same as said address.

EXCEPTIONS:

1. NOTE: According to the available records, the purported address of the land referenced herein is:

230 Cedar Dr 2, Ketchum, ID 83340

2. Taxes for the year 2021 are paid in full.

Parcel Number: [RPK07470000020](#)  
Original Amount: \$2,033.84

3. Taxes, including any assessments collected therewith, for the year 2022 which are a lien not yet due and payable.
4. The land described herein is located within the boundaries of the City of Ketchum and is subject to any assessments levied thereby.



5. Liens, levies, and assessments of the Management Body, if any, as outlined in the Condominium Declaration.
6. Easements, reservations, restrictions, and dedications as shown on the official plat of [Warm Springs Village Subdivision Third Addition](#).
7. Easements, reservations, restrictions, and dedications as shown on the official plat of [Cedars Condominiums](#).
8. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded June 23, 1924 as Instrument No. [55385](#) and Amended by [58955](#), records of Blaine County, ID.
9. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
10. Terms and conditions contained in a/an Affidavit as to Identification of Plats and Descriptions of Real Property, Re. Avalanches.  
Recorded: October 10, 1979  
Instrument No.: [197578](#), records of Blaine County, ID.
11. Terms, provisions, covenants, conditions, restrictions and easements provided in a Condominium Declaration but omitting any covenants, conditions or restrictions, if any, to the extent that such violates 42 USC 3604 (c) or any other ordinance, statute or regulation.  
Recorded: April 22, 1980  
Instrument No.: [202892](#), records of Blaine County, ID.

Sun Valley Title  
By:



Nick Busdon, Authorized Signatory

JUDGMENT AND TAX LIEN GUARANTEE

Issued By  
Stewart Title Guaranty Company

SCHEDULE A

Amount of Liability: \$1,000.00

Fee Amount: \$0.00

Guarantee No.: G-0000761333938

Name of Assured: Alpine Enterprises, Inc.

Date of Guarantee: October 17, 2022

That, according to the indices of the County Recorder of Blaine County, State of ID, for a period of 10 years immediately prior to the date hereof, there are no

- \* Federal Tax Liens
- \* Abstracts of Judgment, or
- \* Certificates of State Tax Liens

filed, or recorded against the herein named parties, other than those for which a release appears in said indices and other than those shown under Exceptions.

The parties referred to in this guarantee are as follows:

Gayle Kathleen Dunham and James Thomas Dunham (*no marital status shown*)

Sun Valley Title  
By:



Nick Busdon, Authorized Signatory

File No. 22464715

SCHEDULE B

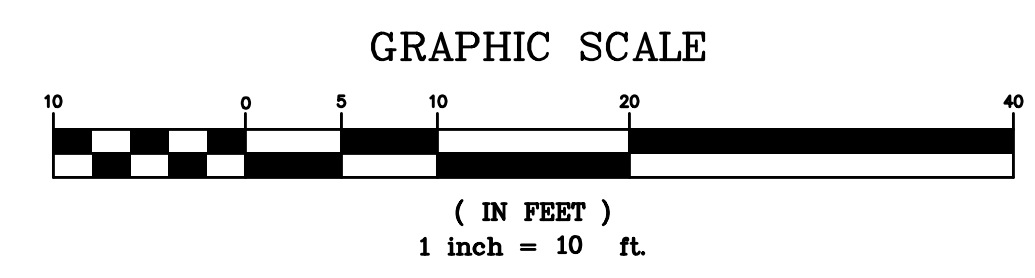
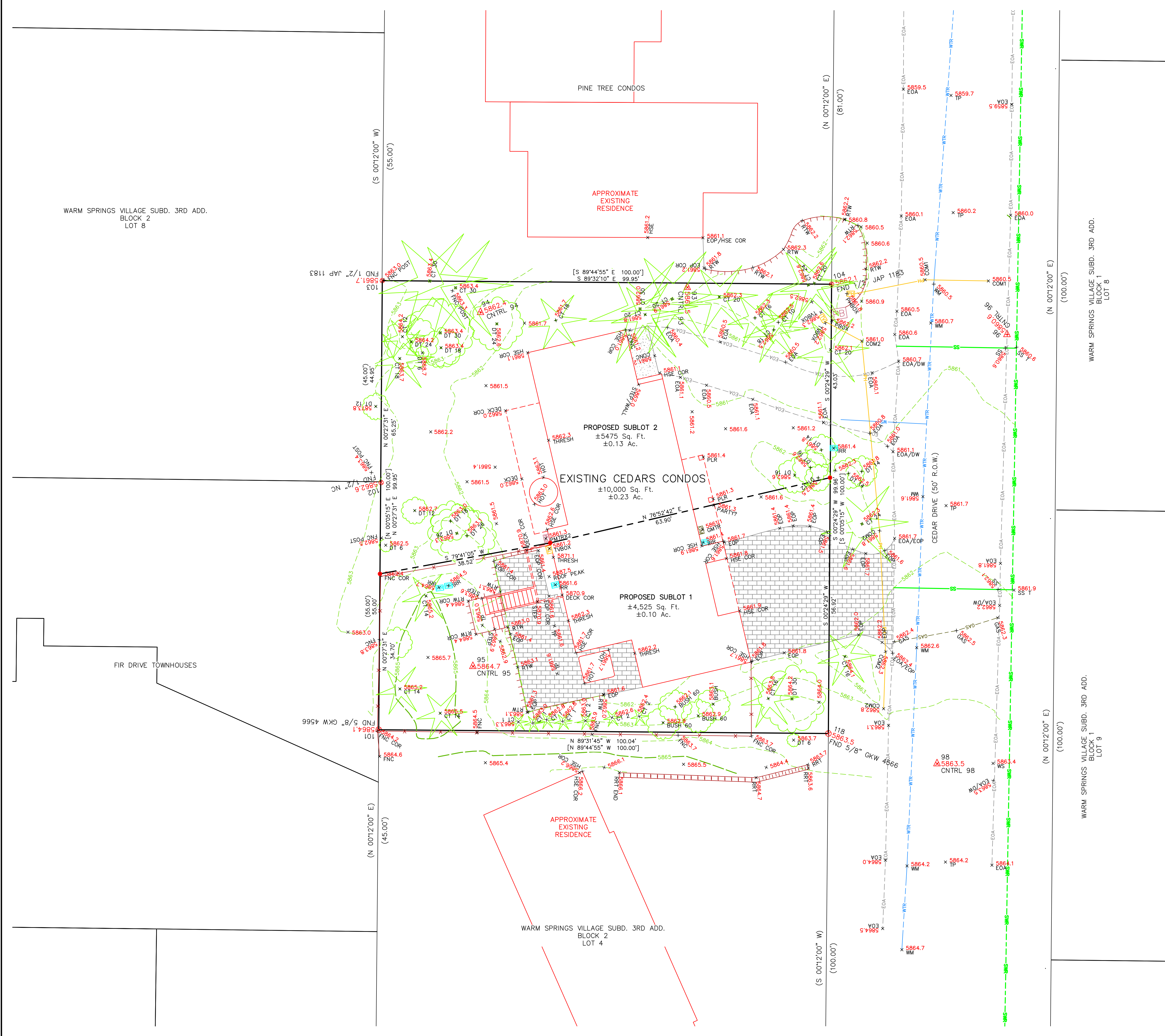
Exceptions:

NONE



City of Ketchum

# Attachment B: Cedars Townhomes Preliminary Plat



- LEGEND**
- SUBJECT BOUNDARY
  - PROPOSED SUBLOT BOUNDARY
  - ADJAINER LOT LINES
  - EOA = EDGE OF ASPHALT
  - EXISTING BUILDING/STRUCTURE
  - EXISTING DECK LINE
  - EOP = EDGE OF PAVERS
  - FNC = EXISTING FENCE
  - RTW = EXISTING RETAINING WALL
  - WTR = WATER MAIN
  - WS = WATER SERVICE
  - SWR = SEWER MAIN
  - SS = SEWER SERVICE
  - GAS = GAS LINE
  - COMM = BURIED PHONE/CABLE LINE
  - 1' CONTOURS PER ALPINE 2022
  - 5' CONTOURS PER ALPINE 2022
  - △ CNTRL = SURVEY CONTROL
  - FND = FOUND 1/2" REBAR AS SHOWN
  - FOUND 5/8" REBAR AS SHOWN
  - 1/2" REBAR, PLS 7048, TO BE SET
  - PBOX = POWER BOX
  - PMTR = POWER METER
  - PHBOX = PHONE BOX
  - TVBOX = CABLE BOX
  - GMTR = GAS METER
  - IRR = IRRIGATION CONTROL
  - GROUND SHOT/SPOT ELEVATION
  - DT = DECIDUOUS TREE
  - CT = CONIFEROUS TREE
  - NC NO CAP
  - DW DRIVEWAY
  - HOT HOT TUB
  - HSE COR HOUSE CORNER
  - PARTY? PARTY WALL (TO BE VERIFIED)
  - PLR PILLAR
  - TP TOP OF PAVEMENT/PAVERS
  - RRT RAIL ROAD TIE
  - CONC CONCRETE
  - [ ] RECORD BEARING AND DISTANCE PER INST. NO. 202893
  - ( ) RECORD BEARING AND DISTANCE PER INST. NO. 114679

- NOTES**
- 1) Basis of Bearings is Idaho State Plane Coordinate System, Central Zone, NAD83, (1992), at Grid in US Survey Feet. Vertical Datum is NAVD1988, (1992).
  - 2) Boundary Information is from the Plat of The Cedars Condominiums, Instrument Number 202893; the Plat of Warm Springs Village Subdivision, Third Addition, Instrument Number 114679; Records of Blaine County, Idaho.
  - 3) Refer to the Plat Notes, Conditions, Covenants, and Restrictions on Original Plats.
  - 4) Utility Locations shown are based on visual surface evidence and Digline Locate. Utility locations should always be verified by Digline Locate before any Excavation.
  - 5) Current Zoning appears to be GR-L, General Residential Low Density. The Subject Lot appears to be in an Avalanche Zone per City of Ketchum Zoning Ordinance No. 1181. Please refer to City of Ketchum Zoning Ordinances for more information about these Zones including Building Regulations.
  - 6) Not all trees and vegetation are shown, some locations are approximate.

**SURVEYOR NARRATIVE**

The purpose of this survey is to Subdivide The Cedar Condominiums into Townhouse Sublots as shown hereon. During a Boundary Retracement of The Cedar Condominiums, all found Monuments of Record were accepted. Sublot Lines were decided based on an existing Site Plan, Owner preference and agreement.

PROJECT PATH AND PRINT DATE U:\CarlsonProjects\1971\_CedarsCondos\dwg\1971\_CedarsTMSHs\_PrePlat2022.dwg 11/07/2022 11:55:29 AM MST

Alpine Enterprises Inc.  
 Surveying, Mapping, Civil Engineering,  
 and Natural Hazards Consulting  
 660 Bell Dr., Unit 1 83340 USA  
 P.O. Box 2037, Ketchum, ID 83340 USA  
 (208) 727-1888 FAX 727-1967 fax  
 email: bamt@alpineenterprisesinc.com

REVISIONS

NO	DATE	BY

PROFESSIONAL LAND SURVEYOR  
 STATE OF IDAHO  
 LICENSE NO. 7048  
 EXPIRES 07NOV22

Sheet 1 of 1



City of Ketchum

# Attachment C: Draft Findings of Fact, Conclusions of Law, and Decision



City of Ketchum  
Planning & Building

IN RE:	)	
	)	
Cedars Townhomes	)	KETCHUM PLANNING & ZONING COMMISSION
Townhouse Subdivision – Preliminary Plat	)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: May 28, 2024	)	DECISION
	)	
File Number: P24-013	)	

**PROJECT:** Cedars Townhomes

**APPLICATION TYPE:** Townhouse Subdivision Preliminary Plat

**FILE NUMBER:** P24-013

**REPRESENTATIVE:** Bruce Smith, Alpine Enterprises Inc.

**OWNER:** Skylar Karen Lindsley and Julie Ann Finstad (Unit 1)  
James Thomas and Gayle Kathleen Dunham (Unit 2)

**LOCATION:** 230 Cedar Drive (Lot 3, Block 2, Warm Springs Village Subdivision Third Addition)

**ZONING:** General Residential Low Density (GR-L)

**OVERLAY:** Avalanche (A)

**REVIEWER:** Paige Nied – Associate Planner

**RECORD OF PROCEEDINGS**

The City of Ketchum received the Preliminary Plat Subdivision application on February 22, 2024. Following the receipt of the application, staff routed the application materials to all city departments for review. After two rounds of review, the application was deemed completed on May 6, 2024. As of the date of this letter, all department comments have been resolved or addressed through conditions of approval recommended below.

A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on May 8, 2024. The public hearing notice was published in the Idaho Mountain Express on May 8, 2024. A notice was published on the city website on May 13, 2024, and a notice was posted on the project site on May 21, 2024.

The Planning and Zoning Commission considered the Cedars Townhomes Preliminary Plat application (File No. P24-013) during their regular meeting on May 28, 2024. After considering Staff’s analysis, the applicant’s presentation, and public comment, the Planning & Zoning Commission recommended approval of the application to the City Council.

### FINDINGS OF FACT

The Planning & Zoning Commission, having reviewed the entire project record, provided notice, and conducted the required public hearing, does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

### BACKGROUND

The applicant is proposing to subdivide the Cedars Condominiums into two townhouse sublots (the “project”). The existing configuration of the Cedars Condominiums is two condominium units with associated common area and the resulting configuration is two townhouse sublots with no common area. This project is located at 230 Cedar Drive (the “subject property”) and is zoned General Residential – Low Density (GR-L) and is within the Avalanche (A) zone. The subject property was developed with a structure containing two condominium units and associated common area in 1979. The structure is existing and no improvements to the site are proposed at this time.

### FINDINGS REGARDING COMPLIANCE WITH TOWNHOUSE SUBDIVISION REQUIREMENTS

Townhouse Plat Requirements				
Compliant			Standards	
Yes	No	N/A	City Code	City Standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.B	<p><b>Townhouse Owners' Documents:</b> The subdivider of the townhouse project shall submit with the preliminary plat application a copy of the proposed party wall agreement and any proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control and maintenance of all commonly held facilities, garages, parking and/or open spaces. Prior to final plat approval, the subdivider shall submit to the city a final copy of such documents and shall file such documents prior to recordation of the plat, which shall reflect the recording instrument numbers.</p> <p><i>Commission Findings</i></p> <p>The application materials included a copy of the Cedars Townhomes Covenants, Conditions and Restrictions.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.1	<p><b>Preliminary Plat Procedure:</b> Townhouse developments shall be administered consistent with the procedures and design and development regulations established in §16.04.030 and §16.04.040 and the standards of this subsection.</p> <p>All townhouse developments shall be platted under the procedures contained in the subdivision ordinance in effect and shall be required to obtain design review approval prior to building permit issuance.</p> <p><i>Commission Findings</i></p> <p>A design review application was not submitted and no improvements to the site are proposed at this time. The applicant submitted a townhouse subdivision application to create two townhouse sublots on the subject</p>



				property. The application was reviewed and approved by the Planning and Zoning Commission during their regular meeting on May 28, 2024.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.2	The subdivider may apply for preliminary plat approval from the commission pursuant to subsection 16.04.030D of this chapter at the time application is made for design review approval pursuant to title 17, chapter 17.96 of this code. The commission may approve, deny or conditionally approve such preliminary plat upon consideration of the action taken on the application for design review of the project.
			<i>Commission Findings</i>	A design review application was not submitted and no improvements to the site are proposed at this time. The applicant submitted a townhouse subdivision application to create two townhouse sublots on the subject property. The application was reviewed and approved by the Planning and Zoning Commission at the May 28, 2024, meeting.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080.C.3	The preliminary plat, other data, and the commission's findings may be transmitted to the council prior to commencement of construction of the project under a valid building permit issued by the City. The council shall act on the preliminary plat pursuant to subsection 16.04.030E and F of this chapter.
			<i>Commission Findings</i>	N/A – No improvements to the site are proposed with this application, therefore, no construction will occur.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080.C.4	In the event a phased townhouse development project is proposed, after preliminary plat is granted for the entirety of a project, the final plat procedure for each phase of a phased development project shall follow §16.04.030.G and comply with the additional provisions of §16.04.110 of this code.
			<i>Commission Findings</i>	N/A – A phased townhouse development is not proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.D	D. Final Plat Procedure: 1. The final plat procedure contained in subsection 16.04.030G of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the townhouse has received either: a. A certificate of occupancy issued by the city of Ketchum for all structures in the townhouse development and completion of all design review elements as approved by the planning and zoning administrator; or b. Signed council approval of a phased development project consistent with §16.04.110 herein. 2. The council may accept a security agreement for any design review elements not completed on a case by case basis pursuant to title 17, chapter 17.96 of this code.
			<i>Commission Findings</i>	Following City Council approval of the preliminary plat application, the Cedars Townhomes Final Plat Subdivision application will follow all procedures as outlined in Title 16 of the Ketchum Municipal Code.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.1	Required Findings: In addition to all Townhouse Developments complying with the applicable provisions of Title 17 and this Subdivision Chapter (§16.04), the Administrator shall find that

				All Townhouse Developments, including each individual subplot, shall not exceed the maximum building coverage requirements of the zoning district.
			<i>Commission Findings</i>	The maximum building coverage in the GR-L zone district is 35% of the lot. The subject property is 10,000 square feet. The existing development has a building coverage of 2,245 square feet. This results in a total building coverage of 23% of the lot.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.2	<b>Garage:</b> All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is tied to specific townhouse units on the townhouse plat and in any owner's documents, and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development.
			<i>Commission Findings</i>	Unit B on proposed Sublot 2 has an existing attached one car garage. No detached garages are existing or proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.3	<b>General Applicability:</b> All other provisions of this chapter and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse subdivisions. (Ord. 1061 § 3, 2009; Ord. 879 § 4, 2001; Ord. 460 § 2, 1987)
			<i>Commission Findings</i>	During department review of the subdivision application, staff reviewed the project for compliance with the Zoning Regulations, dimensional standards, and development standards for the City of Ketchum. As conditioned, the townhouse subdivision application meets all applicable regulations.

### FINDINGS REGARDING PRELIMINARY PLAT SUBDIVISION REQUIREMENTS

Preliminary Plat Requirements				
Compliant				
Yes	No	N/A	City Code	City Standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.
			<i>Commission Findings</i>	The City of Ketchum Planning and Building Department received the subdivision application and all applicable application materials on February 22, 2024.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J	<b>Contents Of Preliminary Plat:</b> The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application.
			<i>Commission Findings</i>	The subdivision application was deemed complete on May 6, 2024.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .1	The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following:  The scale, north point and date.
			<i>Commission Findings</i>	This standard is met as shown on the preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .2	The name of the proposed subdivision, which shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho.
			<i>Commission Findings</i>	As shown on the preliminary plat, the subdivision is named "The Cedars Townhomes" which is not the same as any other subdivision in Blaine County, Idaho.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			<i>Commission Findings</i>	As shown on the preliminary plat, the owner and subdivider James and Gayle Dunham and Skylar Lindsley and Julie Ann Finstad. The preliminary plat was prepared by Bruce Smith of Alpine Enterprises Inc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .4	Legal description of the area platted.
			<i>Commission Findings</i>	This standard is met as shown on the preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			<i>Commission Findings</i>	The preliminary plat indicates the boundary lines of the adjoining lots including condominium lots and townhouse lots.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .6	A contour map of the subdivision with contour lines and a maximum interval of five feet (5') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.
			<i>Commission Findings</i>	The preliminary plat shows the contour lines for the subject property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .7	The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.
			<i>Commission Findings</i>	The preliminary plat shows the location of the existing building and all adjacent streets.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .8	Boundary description and the area of the tract.
			<i>Commission Findings</i>	The preliminary plat provides the boundary description of the area and includes square footage and acreage of both sublots.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .9	Existing zoning of the tract.
			<i>Commission Findings</i>	Plat note #5 of the preliminary plat lists the existing zoning of the subject property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .10	The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.

			<i>Commission Findings</i>	The preliminary plat shows the locations and lot lines for the proposed townhouse sublots. No new streets or blocks are being proposed with this application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J .11	<b>The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.</b>
			<i>Commission Findings</i>	This standard is not applicable as there is no requirement or proposal for land dedicated for public or common use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .12	<b>The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.</b>
			<i>Commission Findings</i>	In the summer of 2023, the applicant installed two new individual water services connected to the City of Ketchum water system main found on Cedar Drive to accommodate the transition to townhouse units. However, the preliminary plat only indicates one water service to subplot 2. Condition of approval #3 requires the applicant to revise the preliminary plat to indicate the location of the water service line for subplot 1.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J .13	<b>The direction of drainage, flow and approximate grade of all streets.</b>
			<i>Commission Findings</i>	This standard does not apply as no new streets are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J .14	<b>The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.</b>
			<i>Commission Findings</i>	This standard does not apply as no new drainage canals or structures are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J .21	<b>All percolation tests and/or exploratory pit excavations required by state health authorities.</b>
			<i>Commission Findings</i>	This standard does not apply as no additional tests are required.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .22	<b>A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.</b>
			<i>Commission Findings</i>	A copy of the Cedars Townhomes Covenants, Conditions and Restrictions is included in the project plans.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .15	<b>Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials and collector streets.</b>
			<i>Commission Findings</i>	The project plans include a vicinity map sheet that satisfies this requirement.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .16	<b>The boundaries of the floodplain, floodway and avalanche zoning district shall also be clearly delineated and marked on the preliminary plat.</b>

			<i>Commission Findings</i>	The entirety of the subject property is within the Avalanche Zone, as is indicated in plat note #5 of the preliminary plat. The subject property is not within a floodplain, floodway, or avalanche zone district.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .17	<b>Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.</b>
			<i>Commission Findings</i>	The subject property is within the Avalanche Zone; however, a building envelope is not shown on the preliminary plat. Condition of approval #2 requires the applicant to revise the preliminary plat to include building envelopes on each townhouse subplot prior to City Council's review of the application. The subject property is not within the floodway or floodplain and is not adjacent to the Big Wood River, Trail Creek, or Warm Springs. The subject property does not contain slopes greater than 25% and is not adjacent to an intersection.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .18	<b>Lot area of each lot.</b>
			<i>Commission Findings</i>	As shown on the preliminary plat, the area of Sublot 1 is 4,525 square feet and the area of Sublot 2 is 5,475 square feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .19	<b>Existing mature trees and established shrub masses.</b>
			<i>Commission Findings</i>	As shown on the preliminary plat, there are a variety of trees and shrubs existing on the property and within the right-of-way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .23	<b>A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.</b>
			<i>Commission Findings</i>	As part of the application materials, the applicant provided a title report for Condominium Unit 1 issued by Stewart Title Guarantee Company dated November 3, 2022, and a title report for Condominium Unit 2 issued by issued by Stewart Title Guarantee Company dated October 17, 2022.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J .24	<b>A digital copy of the preliminary plat shall be filed with the administrator.</b>
			<i>Commission Findings</i>	The City of Ketchum received a digital copy of the Cedars Townhomes preliminary plat at the time of application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.A	<b>Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.</b>

			<i>Commission Findings</i>	No improvements are required or proposed for this application. The subject property does not include any watercourses, rock outcroppings, shrub masses or historic areas.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			<i>Commission Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.C	Performance Bond: Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.
			<i>Commission Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.D	As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.
			<i>Commission Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.E	Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer,

			<p>certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows:</p> <ol style="list-style-type: none"> <li>1. All angle points in the exterior boundary of the plat.</li> <li>2. All street intersections, points within and adjacent to the final plat.</li> <li>3. All street corner lines ending at boundary line of final plat.</li> <li>4. All angle points and points of curves on all streets.</li> <li>5. The point of beginning of the subdivision plat description.</li> </ol>
		<i>Commission Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>16.04.040.F</p> <p><b>Lot Requirements:</b></p> <ol style="list-style-type: none"> <li>1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings.</li> <li>2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following: <ol style="list-style-type: none"> <li>a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met.</li> <li>b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section.</li> </ol> </li> <li>3. Corner lots shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</li> <li>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</li> </ol>

			<p>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</p> <p>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat.</p>
			<p><i>Commission Findings</i></p> <ol style="list-style-type: none"> <li>1. The proposed townhouse subdivision meets all dimensional standards as outlined in the GR-L zone district for the parent lot. The minimum lot size is 8,000 square feet and the parent lot is 10,000 square feet. The existing structure meets minimum setback requirements in the GR-L for the front, sides, and rear.</li> <li>2. The subject property is within the Avalanche Zone, therefore, building envelopes are required to be shown on the preliminary plat. Condition of approval #2 requires the preliminary plat to be revised to indicate the building envelope for each townhouse subplot.</li> <li>3. The subject property is a not a corner lot.</li> <li>4. The parent lot of the townhouse subdivision and the newly created subplot lot line is within 20 degrees to a right angle to the street lot line along Cedar Drive.</li> <li>5. The subject property is not a double frontage lot.</li> <li>6. Both Sublots have a minimum of 20 feet of frontage on Cedar Drive.</li> </ol>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.040.G</p> <p>Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <ol style="list-style-type: none"> <li>1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots.</li> <li>2. Blocks shall be laid out in such a manner as to comply with the lot requirements.</li> <li>3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features.</li> <li>4. Corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.</li> </ol>
			<p><i>Commission Findings</i></p> <p>This standard does not apply as no new blocks are being created.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.040.H</p> <p>Street Improvement Requirements:</p> <ol style="list-style-type: none"> <li>1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;</li> </ol>



			<p>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;</p> <p>3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;</p> <p>4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</p> <p>5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;</p> <p>6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;</p> <p>7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;</p> <p>8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;</p> <p>9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);</p> <p>10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;</p> <p>11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;</p> <p>12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;</p> <p>13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not</p>
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			<p>duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the commission before submitting same to council for preliminary plat approval;</p> <p>14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;</p> <p>15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;</p> <p>16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;</p> <p>17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;</p> <p>18. Street lighting may be required by the commission or council where appropriate and shall be installed by the subdivider as a requirement improvement;</p> <p>19. Private streets may be allowed upon recommendation by the commission and approval by the council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section;</p> <p>20. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the administrator and shall be consistent with the type and design of existing street signs elsewhere in the city;</p> <p>21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;</p> <p>22. Sidewalks, curbs and gutters may be a required improvement installed by the subdivider; and</p> <p>23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights of way unless approved by the city council.</p>
			<p><i>Commission Findings</i></p> <p>This standard does not apply as no new streets are proposed.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>16.04.040.I Alley Improvement Requirements: Alleys shall be provided in business, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be prohibited. Improvement of alleys shall be done by the subdivider as required</p>

				improvement and in conformance with design standards specified in subsection H2 of this section.
			<i>Commission Findings</i>	This standard does not apply as the subject property is not adjacent to an alley.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.J	<p>Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands.</p> <p>1. A public utility easement at least ten feet (10') in width shall be required within the street right of way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the city engineer to be necessary for the provision of adequate public utilities.</p> <p>2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.</p> <p>3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.</p> <p>4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.</p> <p>5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.</p> <p>6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the city.</p>
			<i>Commission Findings</i>	There are no existing or proposed easements for this property. Standards 2-6 do not apply to the project as the property is not adjacent to any of the listed waterways, not adjacent to Warm Springs, does not contain any irrigation infrastructure, and does not include pedestrian or equestrian pathways.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.K	<p>Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider.</p> <p>Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the city engineer, council and Idaho health department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho department of health and the council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</p>
			<i>Commission Findings</i>	This standard does not apply as this application does not create a new subdivision. Both sublots are directly connected to the City of Ketchum sewer system main found in Cedar Drive.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.L	<p>Water System Improvements: A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the city under the supervision of the Ketchum fire department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the municipal water system and shall meet the standards of the following agencies: Idaho department of public health, Idaho survey and rating bureau, district sanitarian, Idaho state public utilities commission, Idaho department of reclamation, and all requirements of the city.</p>
			<i>Commission Findings</i>	This standard does not apply as this application does not create a new subdivision. In the summer of 2023, the applicant installed two new individual water services connected to the City of Ketchum water system main found on Cedar Drive to accommodate the transition to townhouse units. However, the plat only indicates one water service to subplot 2. Condition of approval #3 requires the applicant to revise the preliminary plat to indicate the location of the water service line for subplot 1.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.M	<p>Planting Strip Improvements: Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>

			<i>Commission Findings</i>	This standard does not apply as this application does not create a new subdivision. There are no incompatible uses adjacent to the proposed townhouse sublots.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N	<p>Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <ol style="list-style-type: none"> <li>1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or council as part of the preliminary plat application.</li> <li>2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information: <ol style="list-style-type: none"> <li>a. Proposed contours at a maximum of five foot (5') contour intervals.</li> <li>b. Cut and fill banks in pad elevations.</li> <li>c. Drainage patterns.</li> <li>d. Areas where trees and/or natural vegetation will be preserved.</li> <li>e. Location of all street and utility improvements including driveways to building envelopes.</li> <li>f. Any other information which may reasonably be required by the administrator, commission or council to adequately review the affect of the proposed improvements.</li> </ol> </li> <li>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</li> <li>4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.</li> <li>5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.</li> <li>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply: <ol style="list-style-type: none"> <li>a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</li> <li>b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American standard testing methods).</li> </ol> </li> </ol>

				<p>c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability.</p> <p>d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope.</p> <p>e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.</p>
			<i>Commission Findings</i>	This standard does not apply as this application is the subdivision of an existing lot and no drainage improvements to the site are required or proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.O	<p><b>Drainage Improvements:</b> The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the city on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.</p>
			<i>Commission Findings</i>	This standard does not apply as this application is the subdivision of an existing lot and no improvements to the site are proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.P	<p><b>Utilities:</b> In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.</p>
			<i>Commission Findings</i>	All utilities are existing and are located underground per the KMC requirements.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.Q	<p><b>Off Site Improvements:</b> Where the offsite impact of a proposed subdivision is found by the commission or council to create substantial additional traffic, improvements to alleviate that impact may be required of the</p>

			subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.
		<i>Commission Findings</i>	This standard does not apply as this application is the subdivision of an existing lot and no improvements to the site are proposed therefore it will not create additional traffic

**CONCLUSIONS OF LAW**

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum Municipal Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant’s Townhouse Preliminary Plat application for the development and use of the project site.
2. The Commission has authority to review and recommend approval of the applicant’s Townhouse Subdivision Preliminary Plat Application pursuant to Chapter 16.04 of Ketchum Code Title 16.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §16.04.030.
4. The Townhouse Subdivision Preliminary Plat application is governed under Chapter 16.04 of Ketchum Municipal Code.
5. The Cedars Townhomes Subdivision Preliminary Plat application meets all applicable standards specified in Title 16 of Ketchum Municipal Code.

**DECISION**

**THEREFORE**, the Commission **recommends approval** of the Cedars Townhomes Preliminary Plat Application File No. P24-013 to City Council this Tuesday, May 28, 2024, subject to the following conditions of approval.

**CONDITIONS OF APPROVAL**

1. Failure to record a Final Plat within two (2) years of Council’s approval of a Preliminary Plat shall cause the Preliminary Plat to be null and void.
2. Prior to City Council’s review of the preliminary plat application, the applicant shall revise the preliminary plat to include a building envelope on each townhouse subplot.
3. Prior to City Council’s review of the preliminary application, the applicant to revise the preliminary plat to indicate the location of the water service line for subplot 1.

Findings of Fact **adopted** this 28<sup>th</sup> day of May 2024.

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Neil Morrow, Chair  
City of Ketchum  
Planning and Zoning Commission





City of Ketchum  
Planning & Building

**STAFF REPORT**  
**KETCHUM PLANNING AND ZONING COMMISSION**  
**MAY 28, 2024 MEETING**

- PROJECT:** 490 Wood River Dr Residence
- FILE NUMBER:** P23-111
- REPRESENTATIVE:** Erik de Bruijn, Presidio Vista Properties
- OWNER:** 450-490 Wood River LLC
- REQUEST:** Floodplain Development Permit for a new 8,077 square foot residence and modification of wetland areas.
- LOCATION:** 450 Wood River Drive (Mary’s Place Subdivision Lot 3 Block 1)
- ZONING:** General Residential – Low Density (GR-L)
- OVERLAY:** Floodplain Management Overlay
- NOTICE:** A public meeting notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on May 8, 2024. The notice was published in the Idaho Mountain Express on May 8, 2024. A notice was posted on the project site and the city’s website on May 13, 2024.
- REVIEWER:** Adam Crutcher, Associate Planner

**EXECUTIVE SUMMARY**

The applicant is proposing to construct a new 8,077 square foot residence (the “project”), located at 450 Wood River Drive (the “subject property”) in the West Ketchum neighborhood. The subject property is zoned General Residential – Low Density (GR-L) and portions of the property are within the Floodplain Management Overlay District.

The subject property (Figure 1) contains an existing residence that is proposed to be demolished. The proposed residence is sited within the platted building envelope, a majority of which is out of the floodplain. The subject property also contains wetlands in the form of a manmade pond, drainage channels, and riparian vegetation, all of which are proposed to be modified for the proposed residence and associated site improvements. The pond which spans the subject property and properties to the east (440 & 430 Wood River Dr) contains water from the high groundwater table as well as surface water from the swales and drainage channels present on 490 & 460 Wood River Dr. This pond is proposed to be removed from the subject property, as well as 430 & 440 Wood River Dr, and to be replaced with a swale that will connect with the one present on 490 Wood River Dr up to its confluence with the Big Wood River. Existing vegetation around the pond will be removed due to construction of the swale but newly proposed riparian grasses, shrubs & trees are proposed along the proposed swale.

The groundwater table underneath the existing pond on the subject property is not regularly high enough to reach the overflow point at 430 Wood River Dr to enable flow through the pond. Surface water flow is intermittent and is controlled by the conditions on 490 Wood River Dr which typically only receives input in the spring and early summer due to rising groundwater levels, groundwater pumping of residences nearby or flooding conditions. As the influx of water into the system typically only occurs in the spring and early summer, the pond sits stagnant for a majority of the year. Limited native plant species surround the pond, leading to increased presence of algae and warmer water temperatures from lack of vegetation shading. The pond also serves as a bottle neck when flooding conditions in the spring occur. As the outlet of the pond is at a higher elevation than the rest of the pond, increased amounts of groundwater and surface drainage are needed to enter into the system of ponds and channels in the Mary's Place Subdivision in order to get the pond to a high enough elevation to start discharging into the Big Wood River. The removal of the pond and introduction of the swale across 450, 440, & 430 Wood River Dr will alleviate this issue as there will no longer be a high point, blocking flow of water. Greater detail as to how the project manages this runoff and floodwaters is outlined in greater detail below in the staff report.



Figure 1 Subject property location (blue outline).

Pursuant to Ketchum Municipal Code (KMC) §17.88.050.D.2,

*“If the Administrator, in his or her sole discretion, determines that a project cannot be approved administratively, the Ketchum Planning and Zoning Commission shall consider and approve, approve with conditions, or deny applications for floodplain development permits.*

*a. Criteria for sending applications to the Planning and Zoning Commission includes, but is not limited to:*

- (1) Encroachments proposed within the floodway;*
- (2) Stream alteration projects containing riprap;*
- (3) Stream alteration projects including gravel extraction; and*
- (4) Stream alteration projects involving multiple separate parcels of land.”*

Due to the proposed modification of the pond, drainage channels, and wetlands on the subject property, staff determined the project fell in line with the more complex stream alteration projects which warrant review by



rights-of-way and ultimately flows towards the subject property. This was especially prevalent in the seasonal flooding that occurred in Spring/Summer of 2023 where many properties within West Ketchum experienced increased levels of groundwater necessitating groundwater pumping which ultimately discharged into public rights-of-way. Much of this discharge led its way to the 490 & 460 properties either through culverts or sheet flowing over roadways such as Williams St to the north or Wood River Drive to the west. Most of this drainage and floodwater enters into the 490 & 460 properties and moves through the system of ponds and channels until it discharges into the Big Wood River at 430 Wood River Dr.

#### *Process to Date*

The Planning and Building Department received the Floodplain Development application for the project on December 19<sup>th</sup>, 2023. Following receipt of the application, staff routed the application materials to all city departments for review. The application was scheduled for hearing after all city department comments were resolved.

#### **CONFORMANCE WITH FLOODPLAIN DEVELOPMENT STANDARDS:**

As the project occurs within the Floodplain Management Overlay District, the project is subject to criteria and standards listed in KMC 17.88.050 & 17.88.060. Additionally, staff reviewed the project for conformance with all city code requirements for single family residences including utilities, right-of-way improvements, drainage, and general zoning standards (Attachment I). Staff finds the project to be in conformance with all standards but did highlight a few below for further discussion.

#### Drainage

Staff reviewed the project to ensure that the proposed project maintained its own drainage as well as confirm that off-site drainage that historically has moved through would not be impacted by the proposed project. Touching on regional drainage first, as discussed above, the subject site receives excess drainage from other properties in the surrounding area as well as drainage from the Williams St & Wood River Dr rights-of-way which empty into the 490 & 460 properties and ultimately lead to the subject property. Staff evaluated the project to confirm that the proposal would not inhibit drainage from continuing to flow in and out of the project site in the same manner it currently does. The City does require that the proposed project maintain existing drainage flows through the property but does not have the ability to require the applicant to improve the drainage situation which currently exists. Drainage is required to move through the project site by plat note #4 of Mary's Place Subdivision which states, "A 10' wide Drainage Easement is reserved centered over existing channels and 5 feet from edge of ponds to provide for maintenance and to preserve natural drainage through the property." Staff reviewed drainage/flood models, drainage memos, and calculations provided by the applicant to ensure this drainage would still occur. The proposed project looks to replace the existing pond with a swale that has a bottom width of 7 feet, side slope of 4:1 or flatter, and overall slope of 0.7%. This swale design has a capacity of 68 cfs at a flow depth of 2.0 feet, matching the carrying capacity of the swale that is under construction on 490 Wood River Dr which empties into the existing pond on the subject property. Through the submitted materials detailing these proposed changes to the site, staff found that the proposed swale is of sufficient size to effectively handle the existing drainage which flows on and through the site today.

Shifting to on-site drainage, new single-family developments must meet the standard that "All stormwater shall be retained on site" as stated in KMC 17.124.170.A.1. The project proposes to handle drainage through trench drains, catch basins, and a drywell. Drainage from the driveway is to be collected in a trench drain and moved through a series of catch basins to the proposed drywell at the rear of the residence. A majority of site improvements are located on the portion of the subject property outside of the floodplain. A detailed explanation of the on-site drainage, including calculations are provided in a memo from Galena-Benchmark in Attachment G. The City Engineer has reviewed this report as well as the proposed grading & drainage plan and has found the drainage features to be sufficient in handling the stormwater generated by the impervious surfaces in a 25-year storm event. As such, staff does find the project to retain all stormwater on site.

As discussed in the “Preserves Natural Characteristics of River/Floodplain” section below, staff believes the project allows for floodwaters, riverine as well as groundwater flooding from other properties, to still be able to move through the subject property sufficiently through the conversion of the existing pond into a swale.

#### Preserving Natural Characteristics of River/Floodplain & Floodwater Carrying Capacity

Pursuant to KMC 17.88.050.E.1 projects must demonstrate that, “The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and riparian zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.” The project does not propose any alterations within the Big Wood River or the twenty-five (25) foot riparian setback zone, so staff has focused its review of this criterion on whether the project preserves the natural characteristics of the floodplain. The project proposes more cut than fill below the Base Flood Elevation (BFE) outside of the fill required for the home and includes a continuation of the swale present on 490 Wood River Dr all the way through 440 & 430 Wood River Dr. In flood years, floodwaters from the Big Wood River crest the bank on properties to the west (upstream) of the subject property and typically flow down Wood River Dr until they reach 490 Wood River Dr. From there, water flows through a series of channels and swales until they reach the subject properties existing pond. The proposed project looks to remove the pond and instead have a swale that carries through water onto the Big Wood River in a west to east direction across the property as it has historically done. This swale will allow for sheet flow to occur on the property and will not provide any obstructions to floodwaters flowing through the site. This more closely matches conditions which existed on the property prior to the creation of the manmade ponds and channels which exist today. As such, staff find the proposal to preserve the inherent natural characteristics of the floodplain.

As discussed in further detail in “Wetlands” the section below, staff believes the proposed wetland mitigation and enhancement helps to maintain and improve wildlife habitat. The proposed plantings outside of the delineated wetland areas are also native species which are reminiscent of riparian habitat found on the site currently.

Regarding floodwater carrying capacity, projects must show that, “floodwater carrying capacity is not diminished by the proposal.” Many of the design elements touched on earlier in this section contribute to maintaining floodwater carrying capacity. Based on flood models of the Big Wood River, historic flooding events will be able to move through the site within the proposed swale. The proposed project shows the removal of 372.7 cubic yards of fill from the project site, resulting in an increased conveyance for floodwaters. Through HEC-RAS (Hydraulic Engineering Center’s River Analysis System) models provided by the applicant and reviewed by staff, it has been determined that with the proposed swale, the project will not increase the base flood elevation for adjacent properties.

#### Wetlands

Per KMC 17.88.050.E.21, “Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement.” As seen in the Joint Application for Permits (Attachment H), wetlands on the site are classified as Palustrine Unconsolidated Bottom Permanently Flood Excavated (PUBHx). These types of wetlands are excavated in an artificial manner, have water cover throughout year, have less than 30% vegetative cover, and have at least 25% cover of particles smaller than stones. Characteristics of this wetland type on the subject property include open water (pond) and vegetated wetland margin (vegetation around pond, both native and introduced/invasive species). The wetlands will be impacted due to the construction of the residence, landscape elements and proposed restoration activities. Approximately 2,300 square feet of wetlands will be permanently impacted by the activities mentioned so the applicant has proposed wetland mitigation/enhancement areas (11,000 sq ft wetland restoration & 29,000 sq ft wetland mitigation as seen in Sheets L2.01 & L2.03 in Attachment H). Wetland mitigation area is primarily ground outside of the existing

delineated jurisdictional area while the wetland restoration area is primarily ground within the existing delineated jurisdictional area on the subject property that will be restored to riparian wetland habitat. As seen on the landscape plan (Sheet L-2.03 in Attachment H), proposed plantings in these locations are native species which fit within the expected species seen in a forested/scrub shrub wetland including cottonwoods, aspens, willows, dogwoods and other riparian species. The wetland mitigation/restoration also opens the opportunity to remove invasive species which are found on the site including reed canary grass. This removal of invasive species provides a greater opportunity for native plant species to establish and outcompete invasives which offers better habitat to wildlife in the area.

#### Conformance with Zoning Regulations

During city department review, planning staff reviewed the project for conformance with all applicable zoning requirements including permitted uses, dimensional limitations, parking, development standards, and dark skies. Staff believes the project complies with all zoning code regulations and dimensional standards required in the GR-L Zone. Comprehensive analysis of the project's conformance with zoning code requirements and dimensional standards is provided in Attachment J.

#### **STAFF RECOMMENDATION:**

Staff recommends **approval** of the Floodplain Development Permit application (File No. P23-111) subject to the following conditions:

1. This approval is subject to the scope of work described in the documents shown in Attachment C.
2. Any modification to approved plans as referenced in this approval shall be subject to a written amendment to this permit approval. If construction or improvements differ from the approved plans, such work may be subject to removal at the applicants expense.
3. Follow up site visits to ensure compliance with the approved Landscaping Plan, L-4.00 dated 4/15/2024, are required for the three (3) years following the initial site visit that occurs in conjunction with issuance of the Certificate of Occupancy.
  - a. If, upon an annual inspection, 80% or fewer of the plants indicated on Landscape Plan L-4.00 dated 4/15/2024 have not survived, the property owner shall re-install new plantings.
4. The Administrator shall conduct site inspections of work in progress. The Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the terms of this permit, approved plans, and KMC 17.88. In exercising this power, the Administrator has a right, upon presentation of proper credentials, to enter the property at any reasonable hour for the purposes of inspection or other enforcement action.
5. Floodplain Development Permit approval shall expire one (1) year from the date of signing of approved Findings of Fact per the terms of KMC, Section 17.88.050.G, Terms of Approval, if construction has not commenced. Once a building permit has been issued, the approval shall be valid for the duration of the building permit.
6. No use of restricted use chemicals or soil sterilants will be allowed within one hundred feet (100') of the mean high-water mark on any property within the city limits at any time (KMC 17.88.040.C.3);
7. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates (KMC 17.88.040.C.4);
8. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the City Arborist (KMC 17.88.040.C.5);
9. It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

10. Prior to issuance of building permit of a building permit for the proposed residence, a preconstruction elevation certificate shall be completed by a registered professional engineer, architect or surveyor and submitted to the City of Ketchum building inspector.
11. A building under-construction Elevation Certificate (FEMA FORM 86-0-33) shall be submitted within seven calendar days upon completion of the foundation and lowest floor.
12. A final, as built finished construction Elevation Certificate (FEMA Form 86-0-33) with supporting documentation such as an as-built survey of the project produced by a surveyor or engineer licensed in Idaho demonstrating that the project was constructed in accordance with the approved plans, shall be submitted prior to issuance of Certificate of Occupancy. Deficiencies detected by such documentation shall be corrected by the permit holder immediately and prior to certificate of occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a certificate of occupancy.
13. The finished construction elevation certificate certifier shall provide at least two photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and elevation locations identified on the approved plans. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least two additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents if applicable. All photographs must be in color and measure at least three inches by three inches. Digital photographs are acceptable.
14. Regional drainage swales shall be kept clear of any obstructions at all times to allow for drainage to move through the subject property as intended.
15. The realigned and reconfigured ponds and drainage channels as approved by this floodplain development permit shall be considered the ponds and drainage channels, and corresponding drainage easements, identified by plat note #4 of Mary's Place Subdivision.
16. Notarized authorization of the property owners of record for 430 and 440 Wood River Dr for proposed off-site improvements is required to be submitted with the building permit application for the development approved with this Floodplain Development Permit. If at any time during the construction period staff is notified that the authorization of work has been rescinded, construction shall cease immediately until resolution with the adjacent property owner is found or revised development plans are submitted to the City for review and approval that do not require adjacent property owner consent.

**RECOMMENDED MOTION:**

"I move to approve the 450 Wood River Drive Residence Floodplain Development Permit application, as conditioned, and direct staff to return with the findings of fact."

**ATTACHMENTS:**

- A. Floodplain Development Permit Application Materials
- B. Floodplain Affidavit
- C. Project Plans
- D. Brockway Technical Narrative (8/13/23)
- E. Brockway Technical Memo (3/8/24)
- F. Brockway Technical Memo (4/15/24)
- G. Galena-Benchmark Drainage Memo (3/4/24)
- H. IDWR & USACE Joint Application
- I. Floodplain Development Criteria Evaluation

- J. Zoning and Dimensional Standards Evaluation
- K. Mary's Place Subdivision Plat Map



Attachment A:  
450 Wood River Dr  
Application Materials



**City of Ketchum  
Planning & Building**

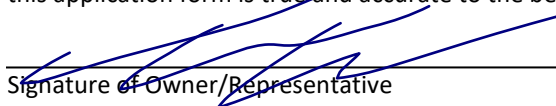
OFFICIAL USE ONLY	
File Number:	P23-111
Date Received:	12/19/23
By:	HLN
Fee Paid:	\$2700
Approved Date:	
Denied Date:	
By:	

**Floodplain Development Permit and Riparian Alteration Application**

NOTE: This permit is required for all properties containing 100 year floodplain area and Riparian Setbacks

PROPERTY OWNER INFORMATION			
Property Owner Name(s):		450-490 WOOD RIVER LLC	
Property Owner's Mailing Address:		P.O. BOX 14001-174 KETCHUM, ID 83340	
Phone:		(720) 339-6798	
Email:		frazier@presidiovistaproperties.com	
PROJECT INFORMATION			
Project Name:		450 WOOD RIVER RESIDENCE AND SITE GRADING	
Project Representative's Name (main point of contact for project):		FRAZIER CAVNESS	
Project Representative's Phone:		(720) 339-6798	
Project Representative's Mailing Address:		P.O. BOX 14001-174 KETCHUM, ID 83340	
Project Representative's Email:		frazier@presidiovistaproperties.com	
Architect's name, phone number, e-mail:		RO ROCKETT DESIGN   JASON RO   jro@rorockettdesign.com	
Landscape Architect's name, phone number, e-mail:		FSLA   (406) 551-2089   CHARLIE KEES   ckees@fieldstudiola.com	
Environmental consultant's name, phone number, e-mail:		SAWTOOTH   (208) 720-8543   TRENT STUMPH   trent@sawtoothenvironmental.com	
Engineer's name, phone number, e-mail:		BROCKWAY ENGINEERING   (208) 736-8543   CHUCK BROCKWAY   charles.g.brockway@brockwayeng.com	
Project Address:		450 WOOD RIVER DRIVE, KETCHUM, ID 83340	
Legal Description of parcel:		MARY'S PLACE SUB; LOT 3, BLK 1	
Lot Size:		1.24 AC.	
Zoning District:		GR-L	
Overlay Zones – indicate all that apply: <input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> Floodway <input type="checkbox"/> Riparian Zone <input type="checkbox"/> Avalanche <input type="checkbox"/> Mountain			
Brief description of project scope: SEE ATTACHED NARRATIVE			
Value of Project: \$			
TYPE OF PROJECT – indicate all that apply:			
<input checked="" type="checkbox"/> New Building in Floodplain	<input type="checkbox"/> Building Addition in Floodplain	<input type="checkbox"/> Streambank Stabilization / Stream Alteration	<input type="checkbox"/> Other. Please describe:
<input type="checkbox"/> Riparian Alteration	<input checked="" type="checkbox"/> Floodplain Development		
PROPOSED SETBACKS – if project is a new building or an addition to an existing building			
Front: 15'	Side: 10'-11.5"	Side: 10'-11.5"	Rear: 10'-11.5"
ADDITIONAL INFORMATION			
Will fill or excavation be required in floodplain, floodway or riparian zone?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If Yes, Amount in Cubic Yards:	Fill: 325 CY	Excavation: 436 CY	SEE NARRATIVE FOR EXPLANATION AND
Will Existing Trees or Vegetation be Removed?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> FURTHER INFORMATION
Will new trees or vegetation be planted?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Floodplain Management Overlay Application, in which the City of Ketchum is the prevailing party, to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. I, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.

  
Signature of Owner/Representative

12.15.2023

Date

**Date: 11/9/2023**

**To: Adam Crutcher**

**From: Greg Brakovich (property owner of 440 and 430 Wood River Drive)**

**RE: Floodplain Development Permit Application – 450 Wood River Drive**

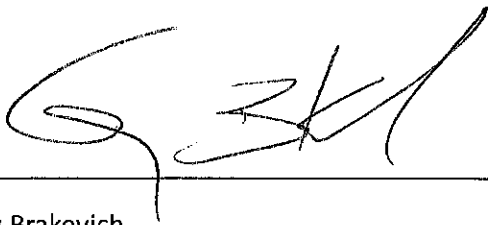
Dear Adam,

My name is Greg Brakovich, and I am the owner of individual properties located at 440 Wood River Drive and 430 Wood River Drive in Ketchum, Idaho (respective parcel numbers are: RPK04740000020 & RPK0474000001A). My properties are adjacent and downstream of 450 Wood River Drive, and they are highlighted on the parcel map on the following page.

I have been working with the owners of 450 Wood River Drive for nearly one year as they assembled their Joint Application for impacting Wetlands, and this current Floodplain Development Permit Application. The proposed Designs seek to fill in the non-conforming pond and swale, which spans across the property boundary lines between 450 Wood River Drive and the properties that I own. In addition, the Designs seek to create a new swale that directs flood waters further to the south and away from the residence that I own. I am in complete support of the Designs and I am excited to see them become a reality, as it will be a tremendous benefit to all property owners in the area.

My signature below indicates my concurrence and support of the Floodplain Development Permit Application for 450 Wood River Drive.

Warm Regards,

A handwritten signature in black ink, appearing to read 'Greg Brakovich', is written over a horizontal line. The signature is stylized and cursive.

Greg Brakovich

Date: 11/9/2023



DATE: January 20, 2023

South Central Public Health District  
Health and Environmental Services  
117 Ash Street  
Bellevue, ID 83313

Re: 450 Wood River Drive

The City of Ketchum has the capacity and is willing to serve or continue to serve the development located at 450 Wood River Drive, Ketchum, ID 83340.

Sincerely,



---

Gio Tognoni, Ketchum City Water



---

Mick Mummert, Ketchum City Sewer

# Evaluation Criteria for Ketchum Floodplain Development Permit application, 450 Wood River

---

Brockway Engineering PLLC  
August 15, 2023

1. The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and Riparian Zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.

**The proposal will include restoration of wetland and riparian areas. Natural riparian swale will ensure continuity of water connection to river. Restored area will provide enhanced natural characteristics, riparian vegetation, and wildlife habitat. No alteration of river channel is proposed. Unauthorized, nuisance pond will be removed.**

2. No temporary construction activities, encroachment, or other disturbance into the twenty-five foot (25') Riparian Zone, including encroachment of below grade structures, shall be permitted, except for approved stream stabilization work and restoration work associated with a riparian zone that is degraded.

**This criteria will be adhered to.**

3. No permanent development shall occur within the twenty-five foot (25') Riparian Zone, except for approved stream stabilization work and restoration work associated with permit issued under this title, or exceptions as described below:
  - a. Access to a property where no other primary access is available. b. Emergency access required by the Fire Department.
  - b. A single defined pathways or staircases for the purpose of providing access to the river channel and in order to mitigate multiple undefined social paths.
  - c. Development by the City of Ketchum

**This criteria is met since the work is to be authorized under an approved permit.**

4. New or replacement planting and vegetation in the Riparian Zone shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings most commonly include red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle. However, in rare instances the distance from the top-of-bank to the mean high-water mark is significant and the native vegetation appropriate for the Riparian Zone are low growing, drought resistant grasses and shrubs. Replacement planting and vegetation shall be appropriate for the specific site conditions. Proposal does not include vegetation within

the twenty-five foot (25') Riparian Zone that is degraded, not natural, or which does not promote bank stability.

**These types of plantings are being proposed. The plan will include a revegetation plan as specified by the landscape architect and/or wetland specialist.**

5. Landscaping and driveway plans to accommodate the function of the floodplain allow for sheet flooding.
  - a. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms
  - b. shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

**Driveway is not within 100-year floodplain. Cross-drainage culverts can be installed. Hydraulic analysis of the proposed building and grading plan has been performed as described in the technical narrative. No water will be diverted onto roads or public pathways.**

6. Floodwater carrying capacity is not diminished by the proposal.

**See narrative for more detail.**

7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not negative.

**Restoration of natural riparian waterway will enhance habitat and improve water quality. Existing pond water quality is poor.**

8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten- foot (10') building setback beyond the required twenty-five foot (25') Riparian Zone is encouraged to provide for yards, decks and patios outside the twenty five foot (25') Riparian Zone.

**Buildings will be located within platted building envelope.**

9. The top of the lowest floor of a building located in, or partially within, the SFHA shall be at or above the Flood Protection Elevation (FPE). A building is considered to be partially within the SFHA if any portion of the building or appendage of the building, such as footings, attached decks, posts for upper story decks, are located within the SFHA. See section 17.88.060, figures 1 and 2 of this chapter to reference construction details. See Chapter 17.08 of this title for definition of "lowest floor."

- a. In the SFHA where Base Flood Elevations (BFEs) have been determined, the FPE shall be twenty-four inches (24") above the BFE for the subject property; twenty-four inches (24") or two (2) feet is the required freeboard in Ketchum city limits.

- b. In the SFHA where no BFE has been established, the FPE shall be at least two (2) feet above the highest adjacent grade.

**This criteria is met. See architectural drawings for more detail.**

- 10. The backfill used around the foundation in the SFHA floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.
  - a. Compensatory storage shall be required for any fill placed within the floodplain.
  - b. A CLOMR-F shall be obtained prior to placement of any additional fill in the floodplain.

**Adequate compensatory storage is provided. See narrative for additional detail.**

- 11. All new buildings located partially or wholly within the SFHA shall be constructed on foundations that are designed by a licensed professional engineer.

**See architectural plans for more detail.**

- 12. Driveways shall comply with City of Ketchum street standards; access for emergency vehicles has been adequately provided for by limiting flood depths in all roadways to one foot (1-ft) or less during the 1% annual chance event.

**Driveway is not within the 100-year floodplain.**

- 13. Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.

**Owner will comply with this requirement.**

- 14. (Stream alteration.) The proposal is shown to be a permanent solution and creates a stable situation.

**Not applicable**

- 15. (Stream alteration.) No increase to the one percent (1%) annual chance flood elevation at any location in the community, based on hydrologic and hydraulic analysis performed in accordance with standard engineering practice and has been certified and submitted with supporting calculations and a No Rise Certificate, by a registered Idaho engineer.

**Not applicable, but see narrative for description of modeling for the project.**

- 16. (Stream alteration.) The project has demonstrated No Adverse Impact or has demonstrated all impacts will be mitigated.



**Not, but see narrative.**

17. (Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.

**Not applicable**

18. (Stream alteration.) Fish habitat shall be maintained or improved as a result of the work proposed.

**Not applicable.**

19. (Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

**Not applicable.**

20. (Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

**Not applicable.**

21. (Wetlands) Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement.

**See analysis and Joint Application for Permits prepared by Sawtooth Environmental.**

# APPLICATION CHECKLIST

**Please utilize and submit the checklist on the following pages to ensure a complete application.**

Floodplain management overlay application certification of completeness is based on submittal of all applicable items on this checklist.

Use for:

- Floodplain Development Permit (includes stream Alteration / streambank stabilization)
- Riparian Alteration

**Project name:** \_\_\_\_\_

**Reviewed by:** \_\_\_\_\_

## DOCUMENTS

- One (1) digital copy of all application materials
- Application form
- Evaluation criteria narrative
- Description of proposed development
- Specifications for building construction and materials, flood proofing, filling, grading, dredging, channel improvement/changes and utilities
- Elevation and/or flood proofing certification prepared by a professional engineer for existing and proposed residential and nonresidential structures located partially or wholly in the regulatory floodplain. Said floodproofing methods shall meet the criteria in subsection 17.88.060.B of the Ketchum Municipal Code.
- N/A  Copy of letter of map amendment based on fill (LOMA-F) application for any proposed fill in the floodplain. LOMA-F approval shall be obtained from FEMA prior to issuance of a floodplain development permit.

## **SITE SURVEY OF EXISTING CONDITIONS (prepared and stamped by a licensed engineer or surveyor) – REQUIRED FOR NEW BUILDINGS OR ADDITIONS TO BUILDINGS IN THE FLOODPLAIN AND ANY WORK WITHIN THE FLOODWAY**

- Exterior boundary lines of the property together with dimensions
- Topographic survey of the real property at a minimum of one (1) foot contour intervals, significant hillsides may be a minimum of ten (10) foot contour intervals
- Location of any existing dwelling units, other structures, fill, storage of materials, drainage facilities and all improved areas (pavement) with dimensions thereof showing the setback of each structure from the nearest property line
- Location of existing channels and ditches and other significant natural features, boundaries of floodway and floodplain, including Base Flood Elevation (BFE) and other site specific information from the studies referred to in Ketchum Municipal Code, subsection 17.88.040.A.3
- Location and elevations of adjacent streets, water supply and sewer lines, including private wells and/or septic systems

- Elevation of the lowest floor (including basement) of all structures existing and proposed partially or wholly located in the one percent (1%) annual chance floodplain, including elevation to which any structure has been or will be floodproofed
- Identification of the riparian zone and the "mean high water mark," as defined in Ketchum Municipal Code
- Location of previous stream alterations upstream, downstream and along both banks from subject lot
- Location of drainage ways, intermittent and year-round, including potential overflow channels or channel movement
- Location and dimensions of easements, private and public, within and adjacent to the proposed project together with the purpose thereof
- Location of all existing trees to be preserved and significant trees to be removed
- Indication of any zoning district overlay which affects the property (floodplain, mountain overlay or avalanche)
- Location of existing structures on adjacent properties

**SITE PLAN – REQUIRED FOR ALL PROJECTS.**

- Vicinity map
- Proposed excavation or land fill including resulting slope grades for the building pad(s), driveways and any other element of the proposed development where excavation or fill will take place
- Drainage plan including offsite improvements such as borrow ditches and culverts and including a plan for on- and off-site improvements to provide for unobstructed conveyance of floodwaters
- Location of on-site parking spaces and access thereto, including the dimensions of the spaces and the width and length of access and curb cuts
- Location and dimensions of snow storage areas
- Location of dumpster and/or garbage and recycling can storage areas, including the dimensions and proposed fencing or other screening
- Location and type of any electrical power transformers, switches and/or sectors
- Location and type of all heating, ventilation, air conditioning and other mechanical units
- Drip line of all buildings
- Percentage of the lot coverage by proposed building and parking areas together with the total square footage of the parcel of property
- Location of all proposed structures (buildings) and all improved areas (pavement, sidewalk) with dimensions thereof showing the setback of each structure from the nearest property line
- Designation of the zoning district in which the project is located
- Location of any zoning district boundary line within the proposed project or the immediate vicinity thereof
- N/A  For any building in the floodplain with an area below the lowest floor that is below the base flood elevation and has a ceiling height of five feet (5') or greater, the building owner shall sign a non-conversion agreement, that shall run with the property, promising not to improve, finish or otherwise convert the area below the lowest floor to living area and granting the city the right to inspect the enclosed area at its discretion. Such agreement shall be recorded at Blaine County's recorder's office

**ARCHITECTURAL PLANS – REQUIRED FOR NEW BUILDINGS OR ADDITIONS TO EXISTING BUILDINGS**

- Floor plans of all floors at not less than one-eighth (1/8) scale
- All exterior elevations
- Roof plan including direction of snow sliding and snow clips if applicable. Location and type of all mechanical equipment and rooftop appurtenances
- Cross-section(s) of the property and proposed building adequately establishing the natural grade, finished grade, slope of land, slope of proposed accesses and grades to all public rights-of-way

- Location and type (cut sheets) of all exterior lighting
- Model or computer simulation renderings, if required at pre-application design review meeting

**LANDSCAPE PLAN – REQUIRED FOR ANY PROJECT PROPOSING TO ALTER VEGETATION IN THE RIPARIAN ZONE OR SPECIAL FLOOD HAZARD AREA**

- All existing vegetation over 2 inches in caliper, including size and species
- Proposed landscaping of the project including types, quantities and sizes of trees, shrubs, ground cover and other vegetation
- Proposed landscaping or other improvements within any public rights-of-way
- Location, type (materials and colors) and height of walls or fences
- Location of parking areas
- Location of vehicular and pedestrian circulation patterns, easements and proposed improvements with regard thereto
- Irrigation system for landscaping
- Drainage plan including off-site improvements

**STREAM ALTERATIONS / STREAMBANK STABILIZATION**

N/A



- Copies of the Joint Application for Permits submitted to the U.S. army corps of engineers (USACE) and Idaho department of water resources (IDWR). Please note, USACE and IDWR approvals shall be obtained prior to issuance of a stream alteration permit.
- Copy of the USACE permit approval.
- Copy of the IDWR permit approval.
- Cross section of proposed work
- Length of stream to be worked, type of work to be done, type of equipment to be used and starting and completion dates of work
- A valley cross section showing stream channel, floodway limits, elevations of adjacent land areas, Special Flood Hazard Area boundary, floodway boundary, existing Mean High Water mark, proposed Mean High Water mark, Riparian Zone regulated by the City of Ketchum, proposed excavation, proposed fill. A profile showing the slope of the bottom of the channel or flow line of the stream may be required upon review of all other material submitted.
- For any work proposed to occur in the regulatory floodway: A no net rise certificate, including supporting calculations, prepared and stamped by an Idaho registered professional hydraulic engineer
- For any work proposed to occur in the floodway: HEC-RAS model

**NO ADVERSE IMPACT STATEMENT – WHERE APPLICABLE**

- No Adverse Impact Statement
  - o See definition of “No Adverse Impact” in section 17.08.020 of Ketchum Municipal Code.

Attachment B:  
Floodplain Affidavit

<b>RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:</b>  City Clerk, City of Ketchum PO Box 2315 Ketchum Idaho, 83340	
--	--

(Space Above Line For Recorder's Use)

**Acknowledgement of Floodplain Management Overlay District and Waterways Design Review District Affidavit**

Property Owner: <b>450-490 WOOD RIVER LLC</b>
Building Permit Number: <b>Building Permit # has not been issued</b>
Property Address: <b>450 Wood River Drive, Ketchum Idaho 83340</b>
Legal Description: <b>MARY'S PLACE SUBD LOT 3 BLK 1</b>
Parcel Number: <b>RPK 04740000030</b>
Scope of Work: <b>Single Family Residence: Main Hose Dwelling with in ground spa</b>

Please initial and fill below:

FC I acknowledge that this development and the parcel of land, or portion thereof, on which the development will be situated are within the Floodplain Management Overlay District.

FC I acknowledge this property is within the Waterways Review District.

FC I have thoroughly read and fully understand Ketchum Municipal Code Title 17, Chapter 17.88 "Floodplain Management Overlay District", to include regulations for the Waterways Design Review District including regulations on activities within 100 feet of the mean high-water mark.

FC I fully understand and agree to comply with Ketchum Municipal Code Title 17, Chapter 17.88.040 C.

FC I, on behalf of myself, my personal representatives and my heirs, successors, and assignees, acknowledge by this written *affidavit* that said property is located within the one percent annual chance floodplain (SFHA) as defined herein, and/or said property is within the Waterways Design Review District and that a violation of the terms of Ketchum Municipal Code 17.88 shall cause the City to seek legal remedies.

FC I acknowledge that the City of Ketchum Planning & Building Department shall have the notarized affidavit recorded in the records of Blaine County for the property.

[Signature]  
 Property Owner Signature

11/14/2023  
 Date

Authorized Representative of the owner

STATE OF Idaho, County of Blaine

On this 14th day of November, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Frazier Guinness, known or identified to me to be the person whose name is subscribed to the within instrument.

WITNESS my hand and seal the day and year in this certificate first above written.

[Signature]  
 Notary Public for Idaho

Residing at: 231 Edelweiss Ave, Ketchum, ID 83340

Commission Expires: 04/25/2029

(State)



City of Ketchum accepts this Affidavit from (insert owner's name).

450-490 Wood River LLC

ATTEST, CITY CLEK

Attachment C:  
450 Wood River Dr  
Project Plans



# 450 WOOD RIVER DR

## FLOODPLAIN DEVELOPMENT PERMIT APPLICATION RESUBMITTAL - 4.16.24

**DESCRIPTION**  
APPROX. 6,600 SF (CONDITIONED) NEW SINGLE-FAMILY RESIDENCE WITH 823 SF GARAGE.  
SCOPE OF WORK INCLUDES NEW CONSTRUCTION OF FOUNDATION, ERECTION OF STRUCTURE, CIVIL, LANDSCAPING, HARDSCAPING AND FINISHES.

**PROJECT ADDRESS**  
450 WOOD RIVER DR  
KETCHUM, ID 83340

**APPLICABLE CODES**

- All construction shall comply with:
- 2018 INTERNATIONAL BUILDING CODE\*
- 2018 INTERNATIONAL RESIDENTIAL CODE\*
- 2018 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS\*
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE\*
- 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE
- 2018 INTERNATIONAL EXISTING BUILDING CODE
- 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE
- NATIONAL GREEN BUILDING STANDARD [SILVER CERTIFICATION]
- TITLE 15 KETCHUM MUNICIPAL CODE
- APPENDIX M OF THE IBC AS AMENDED BY THE CITY OF KETCHUM
- ALL APPLICABLE COUNTY ORDINANCES
- \*FULLY-SPRINKLERED NFPA 13D THROUGHOUT

\*AS AMENDED BY THE IDAHO BUILDING CODE BOARD AND INCLUDING NOTED APPENDICES.

CONTRACTOR SHALL KEEP A COPY OF THE ABOVE CODE SECTIONS ON THE JOB SITE AT ALL TIMES.

JURISDICTIONAL AGENCY SHALL BE THE KETCHUM BUILDING DEPARTMENT.

**DEFERRED SUBMITTALS**  
FIRE SPRINKLERS

**PROJECT DATA**

**LOCATION:**  
LOT AREA:  
ZONING DESIGNATION:  
LAND USE:  
OCCUPANCY:  
CONSTRUCTION TYPE:  
OVERLAYS:  
FLOOD ZONE (FEMA):

LOT 3, BK 1  
54,219 SF (1.24 AC.)  
GR-1 GENERAL RESIDENTIAL LOW DENSITY  
120 (VACANT, SINGLE FAMILY)  
R-3 - SINGLE FAMILY DWELLING  
TYPE V  
FLOODPLAIN  
SFHA-ZONE AE

**PROPOSED DEVELOPMENT**

**BUILDING COVERAGE:**  
**MAXIMUM BUILDING HEIGHT:**  
**PARKING SPACES:**

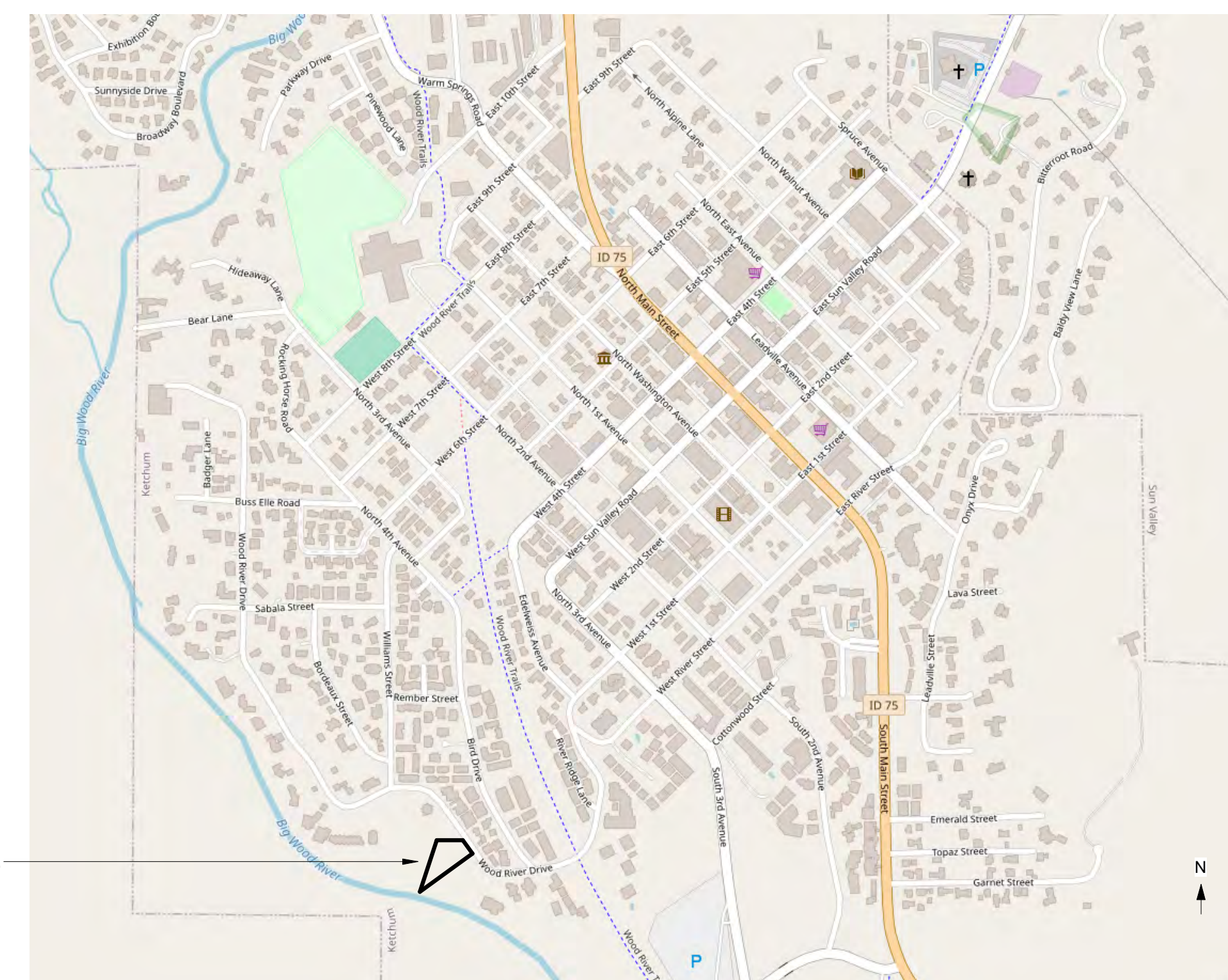
10.0% (SEE G-011 FOR CALCULATIONS)  
ALLOWABLE - 35'-0"  
ACTUAL PROPOSED - 33'-2.5"  
3 (GARAGE)

GROSS FLOOR AREA	
LEVEL 01	4,668 SF
LEVEL 02	3,409 SF
<b>TOTAL</b>	<b>8,077 SF</b>

CONDITIONED FLOOR AREA	
LEVEL 01	3,365 SF
LEVEL 02	3,182 SF
<b>TOTAL</b>	<b>6,547 SF</b>
GARAGE	886 SF
MECH	643 SF

**REQUIRED SETBACKS**

FRONT YARD: 15'-0"  
SIDE YARD: 11'-0" (PER 17.20.030)  
REAR YARD: 11'-0" (PER 17.20.030)



PROJECT SITE

VICINITY MAP

### 450 WOOD RIVER

**OWNER:**

450-490 WOOD RIVER, LLC  
ATTN: FRAZIER CAVNESS  
P.O. BOX 14001-174  
KETCHUM, ID 83340

**PROJECT ARCHITECT:**

RO | ROCKETT DESIGN  
1031 W. MANCHESTER BLVD. UNIT 6  
INGLEWOOD, CA 90301  
TEL: 213.784.0014

**CONTRACTOR:**

**GEOTECHNICAL ENGINEER:**

BUTLER ASSOCIATES, INC.  
P.O. BOX 1034  
KETCHUM, ID 83340  
TEL: 208.720.6432

**CIVIL ENGINEER:**

BENCHMARK ASSOCIATES  
100 BELL DRIVE  
KETCHUM, ID 83340  
TEL: 208.726.9512

**LANDSCAPE ARCHITECT:**

FIELD STUDIO LANDSCAPE ARCHITECTS  
722 N. ROUSE AVENUE  
BOZEMAN, MT 59715  
TEL: 406.551.2098

**STRUCTURAL ENGINEER:**

LABIB FUNK & ASSOCIATES  
319 MAIN STREET  
EL SEGUNDO, CA 90245  
TEL: 213.239.9700

**MEP ENGINEER:**

CONSULTING ENGINEERING SERVICES (CES)  
1001 W OAK BLDG  
BOZEMAN, MT 59715  
TEL: 406.272.0352

**LIGHTING:**

KGM ARCHITECTURAL LIGHTING  
270 CORAL CIRCLE  
EL SEGUNDO, CA 90245  
TEL: 310.552.2191

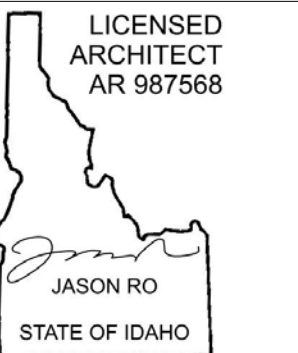
**AV:**

AUDIO VIDEO SYSTEMS, INC.  
2700 HOMESTEAD RD  
PARK CITY, UT 84098  
TEL: 801.649.5200

All designs, ideas, arrangements and plans indicated by these drawings are the property and copyright of the Architect and shall neither be used on any other work nor be disclosed to any other person for any use whatsoever without written permission.

RO|ROCKETT DESIGN and/or its principals and employees waives any and all liability or responsibility for problems that may occur when these plans, drawings, specifications, and/or designs are followed without the designer's guidance with ambiguities, or conflicts which are alleged.

**SEAL:**



1	04.16.2024	FDP APP RESUBMITTAL
	12.13.2023	FDP APPLICATION
NO	DATE	ISSUE

**PROJECT:**

450 WOOD RIVER  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

**PROJECT NUMBER**

2108

**DRAWING TITLE:**

COVER SHEET

**DRAWING NUMBER:**

G-000

NOT FOR CONSTRUCTION

©2023, RO | ROCKETT DESIGN, INC.



**A. GENERAL NOTES:**

1. ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENT OF THE APPLICABLE CODES, LAWS & REQUIREMENTS APPLICABLE TO THE LOCATION OF THE PROJECT.
2. THE CONTRACTOR (AND THEIR SUB-CONTRACTORS) SHALL STUDY AND COMPARE THE CONTRACT DOCUMENTS AND SHALL AT ONCE REPORT TO THE OWNER/DESIGNER IN WRITING ALL ERRORS, INCONSISTENCIES OR OMISSIONS DISCOVERED AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING THE WORK. IF THE CONTRACTOR KNOWINGLY PROCEEDS WITH ANY OF THE WORK SO AFFECTED WITHOUT WRITING INSTRUCTION OF THE OWNER/DESIGNER, THE CONTRACTOR SHALL MAKE GOOD AT HIS OWN COST ANY RESULTING ERROR, DAMAGE, OR DEFECTS OR TIME DELAYS CAUSED. THE CONTRACTOR SHALL PERFORM NO PORTION OF THE WORK WITHOUT CONTRACT DOCUMENTS BEING REQUIRED, APPROVED SHOP DRAWINGS, PRODUCT DATA OR SAMPLES FOR SUCH PORTION OF WORK.
3. NO WORK TO COMMENCE ON SITE UNTIL PLAN HAS BEEN APPROVED AND PERMIT ISSUED BY THE DEPARTMENT OF BUILDINGS.
4. ALL STRUCTURAL WORK SHALL BE COORDINATED W/ DESIGN DRAWINGS AND SHALL CONFORM TO THE PROJECT SPECIFICATIONS AND APPLICABLE BUILDING CODES.
5. ALL MECHANICAL AND ELECTRICAL WORK SHALL BE DESIGN BLDG. FILED BY THE CONTRACTOR. RELATED FININGS SHALL ALSO BE COORDINATED AND EXECUTED BY THE CONTRACTOR. ANY DISCREPANCIES BETWEEN THE ENGINEERED SYSTEMS AND THE DESIGN DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER IMMEDIATELY, PRIOR TO ANY CONSTRUCTION OR PURCHASING OF MATERIAL.
6. CONTRACTOR SHALL PROVIDE TEMPORARY SHORING, BRACING, SHEETING AND MAKE SAFE ALL FLOORS, ROOFS, WALLS AND ADJACENT PROPERTY AS PROJECT CONDITIONS REQUIRE. SHORING AND SHEETING SHALL BE DESIGNED BY A STATE OF CALIFORNIA LICENSED PROFESSIONAL ENGINEER HIRED BY THE CONTRACTOR, WHO SHALL SUBMIT SHOP DRAWINGS AND CALCULATIONS FOR THE OWNER'S REVIEW.
7. DIMENSIONS AND ELEVATIONS OF EXISTING CONSTRUCTION GIVEN IN STRUCTURAL DRAWINGS ARE BASED ON INFORMATION CONTAINED IN VARIOUS ORIGINAL DESIGN AND CONSTRUCTION DOCUMENTS PROVIDED BY THE OWNER, AND LIMITED FIELD OBSERVATIONS AND MEASUREMENTS. THE CONTRACTOR SHALL VERIFY ALL INFORMATION PERTAINING TO EXISTING CONDITIONS BY ACTUAL MEASUREMENT AND OBSERVATION AT THE SITE. ALL DISCREPANCIES BETWEEN ACTUAL CONDITIONS AND THE CONTRACT DOCUMENTS SHALL BE REPORTED TO THE DESIGNER PRIOR TO THE BEGINNING OF RECORD FOR HIS EVALUATION BEFORE THE AFFECTED CONSTRUCTION IS PUT IN PLACE.
8. PRODUCTS: TRADE NAMES OR MANUFACTURERS NOTED WITHIN DRAWINGS AND/OR SPECIFICATIONS ARE TO ESTABLISH A STANDARD OF QUALITY. CONTRACTOR MAY SUBMIT OTHER MANUFACTURERS PRODUCTS EQUAL TO THOSE SPECIFIED FOR APPROVAL.
9. THE CONTRACTOR SHALL MAKE NO DEVIATION FROM THE DRAWINGS WITHOUT WRITTEN APPROVAL OF THE DESIGNER.
10. THE CONTRACTOR SHALL GUARANTEE ALL WORK PERFORMED UNDER THIS CONTRACT FOR A PERIOD OF ONE YEAR AFTER COMPLETION AND FINAL ACCEPTANCE BY THE OWNER.
11. THE CONTRACTOR SHALL INSPECT EXISTING CONDITIONS AT JOB SITE BEFORE SUBMITTING BID. CONTRACTOR WILL BE RESPONSIBLE FOR CONDITIONS ON SITE WHETHER INDICATED ON DRAWINGS OR NOT. SUBMISSION OF A PROPOSAL SHALL SIGNIFY THE CONTRACTOR'S ACCEPTANCE OF THE CONTRACT DOCUMENTS AND EXISTING CONDITIONS.
12. CONTRACTOR MUST CONDUCT A PRE-DEMOLITION MEETING AND SITE WALKTHROUGH WITH THE OWNER AND ARCHITECT BEFORE THE COMMENCEMENT OF ANY DEMOLITION OR REMOVAL OF MATERIALS.
13. THE WORK TO BE PERFORMED CONSISTS OF FURNISHING ALL LABOR, EQUIPMENT, TOOLS, TRANSPORTATION, SUPPLIES, FEES, MATERIALS, AND SERVICES IN ACCORDANCE WITH THESE NOTES AND DRAWINGS; AND INCLUDES PERFORMING ALL OPERATIONS NECESSARY TO CONSTRUCT AND INSTALL COMPLETE, IN SUFFICIENT CONDITION, THE VARIOUS MATERIALS AND EQUIPMENT AT THE LOCATION SHOWN.
14. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO INSURE THE SAFETY OF THE BUILDING, ITS OCCUPANTS, AND THE GENERAL PUBLIC.
15. PROVIDE ALL WORK INDICATED OR IMPLIED BY THE DRAWINGS.
16. SUBMIT SHOP DRAWINGS TO DESIGNER FOR REVIEW. DO NOT COMMENCE WORK UNTIL REVIEW OF SHOP DRAWINGS HAS BEEN COMPLETED AND THE DRAWINGS APPROVED. ALLOW TEN (10) BUSINESS DAYS MIN FOR REVIEW.
17. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY PROTECTION FOR HIS WORK UNTIL TURNED OVER TO THE OWNER.
18. THE GENERAL CONSTRUCTION NOTES AND/OR DRAWINGS ARE SUPPLIED TO ILLUSTRATE THE DESIGN AND THE GENERAL TYPE OF CONSTRUCTION DESIRED AND ARE INTENDED TO IMPLY THE FINEST WORKMANSHIP THROUGHOUT.
19. THE CONTRACTOR SHALL MAKE ALL REQUIRED ARRANGEMENTS FOR DELIVERY OF MATERIALS.
20. BUILDING CONDITIONS, INCLUDING SIZE OF SERVICE ELEVATORS, DOORWAYS, STAIRS, CORRIDORS, WINDOW OPENINGS, ETC., SHALL BE CHECKED FOR ITEMS BEING DELIVERED.
21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING THE PREMISES EACH EVENING PRIOR TO LEAVING THE SITE. KEYS SHALL REMAIN LOCKED AND SECURED AT ALL TIMES WHEN THE GENERAL CONTRACTOR IS NOT ON SITE AND KEYS FOR THE SITE SHALL BE HELD BY THE GENERAL CONTRACTOR. NO UNSUPERVISED SUBCONTRACTORS SHALL HAVE KEYS OR ACCESS TO THE SITE WITHOUT THE OWNER'S PRIOR CONSENT.
22. PRIOR TO BEGINNING ANY WORK, THE CONTRACTOR SHALL FURNISH A SCHEDULE SHOWING THE DURATION OF EACH PHASE OF WORK, THE START AND COMPLETION DATES, THE ORDERING LEAD TIMES, LENGTH FOR EACH PHASE, ITS START AND COMPLETION AND A PROJECTED COMPLETION DATE FOR THE PROJECT.
23. ANY COST CAUSED BY DEFECTIVE OR ILL-TIMED WORK, AS A RESULT OF, BUT NOT LIMITED TO, INFERIOR WORKMANSHIP OR MATERIALS, IMPROPER SCHEDULING OR DELINQUENT ORDERING SHALL BE BORNE BY THE CONTRACTOR.
24. ALL RUBBISH AND WASTE MATERIALS CAUSED BY THE INSTALLATION OF THE WORK SHALL BE REMOVED FROM THE PREMISES PROMPTLY.
25. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL RULES, REGULATIONS, CODES AND ALL AUTHORITIES HAVING JURISDICTION. THE CONTRACTOR SHALL COMPLY WITH ALL APPROPRIATE MUNICIPAL AND REGULATORY AGENCIES, CODES AND REQUIREMENTS. THE CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS AND APPROVALS.
26. THE CONTRACTOR SHALL EXAMINE ALL AREAS OF CONSTRUCTION AFTER COMPLETION OF WORK AND PROVIDE NECESSARY TOUCH UP PAINTING OR WALL COVERING FOR PROTECTION.
27. THE CONTRACTOR SHALL INSPECT ALL EXISTING FINISHED SURFACES INCLUDING CORNER BEADS, STOPS, ETC. FOR CRACKS, HOLES, DAMAGED SURFACES AND ANY OTHER DEFECTS CAUSING AN APPEARANCE DIFFERENT FROM A NEW FIRST-CLASS FINISHED INSTALLATION. ALL DEFECTS SHALL BE REPAIRED, OR IF BEYOND REPAIR, THEN INSTALLED AND FINISHED TO THE SATISFACTION OF THE DESIGNER JUST PRIOR TO BEING TURNED OVER TO THE OWNER.
28. THE CONTRACTOR SHALL THOROUGHLY CLEAN ALL LIGHT FIXTURES AND LENSES, A/C DIFFUSERS AND REGISTERS, FLOORS, BASES, DOORS, ETC. CONTRACTOR SHALL ALSO PROVIDE A FULL POST-CONSTRUCTION CLEAN PRIOR TO FINAL PROJECT ACCEPTANCE.
29. THIS PROJECT IS A CAPITAL IMPROVEMENT AND NO SALES TAX SHALL BE PAID FOR THE PURCHASE OF EQUIPMENT AND MATERIALS BY OWNER.
30. THE CONTRACTOR SHALL PROTECT ALL INSTALLED WORK AND EXISTING, EXTERIOR GLASS AGAINST ANY DAMAGE UNTIL PROJECT IS COMPLETED AND ACCEPTED BY THE OWNER.
31. REMOVE ALL EXISTING APPLIANCES AND PLUMBING FIXTURES FROM THE SITE. UNO.
32. PREPARE THE KITCHEN SURFACES FOR NEW EQUIPMENT AND CABINETS AND PROVIDE UTILITIES AS REQUIRED TO CONNECT ALL NEW APPLIANCES.
33. CONTRACTOR SHALL CONSULT WITH REPRESENTATIVES OF APPLICABLE UTILITIES, INCLUDING GAS, WATER, POWER, TELEPHONE AND CABLE TV AND DETERMINE EXACT LOCATIONS AND AVAILABILITY OF UTILITIES AND DETERMINE CONDITION OF EXISTING SERVICE PRIOR TO COMMENCING WORK OR CONNECTING UTILITIES.
34. CONTRACTOR SHALL PROVIDE TEMPORARY TOILET FACILITIES AT THE JOB SITE AS NECESSARY AND REQUIRED BY CODE.
35. CONTRACTOR SHALL PROTECT FLOOR SURFACES FROM DAMAGE WITH RAMBOARD AND EQUIP MOBILE EQUIPMENT WITH PNEUMATIC TIRES.
36. PRIOR TO ISSUANCE OF A BUILDING PERMIT THE CONTRACTOR SHALL HAVE THE FOLLOWING: 1) CERTIFICATE OF WORKER'S COMPENSATION INSURANCE MADE OUT TO THE CONTRACTOR'S STATE LICENSE BOARD 2) COPY OF BUSINESS TAX REGISTRATION CERTIFICATE OR A NEWLY PAID RECEIPT FOR ONE FOR APPLICABLE JURISDICTION. 3) NOTARIZED LETTER OF AUTHORIZATION FOR AGENTS 4) COPY OF CONTRACTOR'S STATE LICENSE OR POCKET ID.

**B. DEMOLITION:**

1. AS REQUIRED TO INSTALL NEW SCOPE OF WORK.
2. ALL DEBRIS TO BE PROMPTLY REMOVED FROM SITE.
3. ANY DAMAGE DONE TO FLOORS, WALLS, ETC. DUE TO REMOVAL OF EXISTING PARTITIONS, PLUMBING FIXTURES, OR ANYTHING REMOVED IN ORDER TO COMPLETE THE SCOPE OF WORK AS INDICATED ON DRAWINGS SHOULD BE PATCHED TO MATCH EXISTING AND MEET DESIGNER'S AND OWNER'S APPROVAL.
4. SEAL ALL VENTS AND OPENINGS AS REQUIRED DURING DEMOLITION TO PREVENT DUST DAMAGE ACROSS ROOMS.
5. CONTRACTOR TO REMOVE ALL FURNITURE, APPLIANCES, ETC., IN ORDER TO ALLOW FOR NEW CONSTRUCTION AS SHOWN.
6. CONTRACTOR TO PROVIDE ALL SCAFFOLDING AND BRIDGING AS REQUIRED TO COMPLETE SCOPE OF WORK.
7. FOR ALL NEW STONE AND WOOD FLOORING, CONTRACTOR IS TO REMOVE ANY EXISTING SUBSTRATE AS REQUIRED TO KEEP FLOORS LEVEL AND TRUE.
8. WHEN DEMOLITION IS REQUIRED ON SITE: 1) ALL DEBRIS SHALL BE WET AT THE TIME OF HANDLING TO PREVENT DUST. 2) NO STRUCTURAL MEMBER OF ANY KIND SHALL BE DEMOLISHED UNTIL THE STORY ABOVE IS COMPLETELY REMOVED. 3) FREE FALL DUMPING OVER EXTERIOR WALL WILL NOT BE ALLOWED 4) DEMOLITION PERMIT SHALL BE OBTAINED BY A LICENSED WRECKER CONTRACTOR (CLASS C-21) OR A LICENSED GENERAL CONTRACTOR (CLASS B-1). 5) CONTRACTOR SHALL USE NEGATIVE PRESSURE MACHINES AND HEPA FILTERS THROUGHOUT DEMOLITION TO REDUCE AIRBORNE DUST.

**C. PRODUCT NOTES:**

1. ALL PRODUCTS SPECIFIED SHALL BE PROVIDED IN LOCATIONS INDICATED AND INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S PRINTED INSTRUCTIONS.
2. PROVIDE BLOCKING WITHIN ALL WALLS TO SECURE SHELVING WHERE REQUIRED.
3. GENERAL CONTRACTOR (GC) TO ENSURE THAT ALL APPLIANCES, TO INCLUDE CONDENSER AND AIR HANDLING UNITS, ARE OPERATIONAL BEFORE HANDING OVER TO OWNER, ENSURE THAT ALL POWER, WATER AND VENTILATION PROVIDE AS NECESSARY.
4. GC TO PROVIDE OWNER WITH PROJECT MANUALS AT CLOSE OF JOB INCLUDING ALL OWNERS MANUALS AND WARRANTIES FOR ALL EQUIPMENT AND APPLIANCES INSTALLED WITHIN THE SCOPE OF WORK.

**D. POWER AND TELEPHONE NOTES:**

1. PROVIDE ALL ELECTRICAL WORK AS INDICATED ON OR IMPLIED BY THE CONTRACT DOCUMENTS.
2. PROVIDE ALL ELECTRICAL POWER AS REQUIRED BY TELEPHONE COMPANY. PROVIDE TELEPHONE AND DATA WIRING IN LOCATIONS INDICATED AND ALL NECESSARY CONDUIT. VOICE WIRING TO BE CAT3, DATA WIRING TO BE CAT6. PATCH PANEL TO BE PROVIDED IN LOCATION INDICATED.
3. ALL ELECTRICAL WORK SHALL BE PROVIDED BY GC AT LOCATIONS INDICATED. TELEPHONE EQUIPMENT TO BE PROVIDED BY OTHERS.
3. ALL ELECTRICAL WORK SHALL BE COORDINATED WITH THE WORK OF OTHER TRADES.
4. ALL WORK SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE REQUIREMENT OF ALL AUTHORITIES HAVING JURISDICTION.
5. ALL ELECTRICAL, SPEAKER AND TELEPHONE WIRING SHALL BE CONCEALED IN DRYWALL AND/OR CEILING. INSTALL SPEAKER WIRE IN LOCATIONS INDICATED. TERMINATIONS AND SPEAKER INSTALLATION ARE BY OTHERS.
6. ALL ELECTRICAL, SPEAKER AND LIGHTING WORK IN CONJUNCTION WITH CABINET WORK SHALL BE COORDINATED WITH THE MILLWORK CONTRACTOR.
7. REFER TO ELEVATIONS FOR DIMENSIONED LOCATIONS OF SWITCHES, PLATES, AND OTHER EQUIPMENT.
8. ALL 125-V RECEPTACLES IN GARAGE (INCLUDING ANY CEILING OUTLETS) SHALL HAVE GFCI PROTECTION.
9. ALL 125-V RECEPTACLES SERVING COUNTER TOP SURFACES IN THE KITCHEN SHALL HAVE GFCI PROTECTION.
10. ALL 125-V BRANCH CIRCUITS SUPPLYING OUTLETS IN CLOSETS, HALLWAYS, BEDROOMS AND OTHER HABITABLE ROOMS (EXCEPT KITCHEN) SHALL BE PROTECTED BY A LISTED ARC-FAULT CIRCUIT INTERRUPTER (AFCI).
11. RECEPTACLE OUTLETS IN HABITABLE ROOMS SHALL BE SPACED 12" O.C. MAXIMUM AND SHALL BE LOCATED WITHIN 6' OF WALL ENDS, DOOR OPENINGS, AND AT EVERY 2' OR WIDER WALL.
12. ALL RECEPTACLE OUTLETS SHALL BE INTER-TOPS SHALL BE SPACED AT 4' O.C. MAXIMUM AND WITHIN 2' OF ENDS/BREAKS OF COUNTERS.
13. PROVIDE AT LEAST ONE OUTDOOR RECEPTACLE OUTLET WITH WEATHER PROOF COVER AND GFCI AT FRONT AND REAR OF DWELLING UNIT AND AT DECK/BALCONY (EXCEPTION: DECK/BALCONY WITH USABLE AREA LESS THAN 20 SQ FT).
14. ALL RECEPTACLE OUTLETS SHALL BE LISTED TAMPER-RESISTANT RECEPTACLE.
15. BATHROOM RECEPTACLES SHALL BE SERVED BY A DEDICATED 20 AMP CIRCUIT.
16. PROVIDE A WALL SWITCHED-CONTROLLED LIGHTING OUTLET ON THE EXTERIOR SIDE OF OUTDOOR ENTRANCES OR EXITS WITH GRADE LEVEL ACCESS.

**E. CEILING & LIGHTING NOTES:**

1. CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF EXISTING LIGHTING AT JOB SITE. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES IN FIELD.
2. PROVIDE LIGHTING FIXTURES INCLUDING RELATED ELECTRICAL WORK AND LAMPING OF TYPES AND DIMENSIONS AS PER MANUFACTURER'S WRITTEN INSTRUCTIONS IN LOCATIONS AS INDICATED ON THE DRAWINGS.
3. SUBMIT CUTS OF ALL LIGHTING FIXTURES FOR DESIGNER'S REVIEW AND APPROVAL PRIOR TO INSTALLATION.
4. ALL FIXTURES SHALL BE REMOTE SWITCHED UNLESS OTHERWISE NOTED.
5. ALL CEILING WORK SHALL BE SQUARE AND LEVEL.
6. PROVIDE CUTOUTS IN CEILING AS REQUIRED FOR NEW CONDUITS.
7. ALL WORK SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF ALL AUTHORITIES HAVING JURISDICTION AND WITH CEILING MANUFACTURER'S PRINTED INSTALLATION INSTRUCTIONS.
8. ALL ACCESS PANELS TO BE RECESSED ACCESS DOORS FOR DRYWALL SURFACES.
9. REFER TO DESIGNER OR REFLECTED CEILING PLANS FOR LOCATIONS OF SPEAKERS. WHERE DIMENSIONED NOT NOTED, GC TO COORDINATE PLACEMENT WITH DESIGNER.
10. COORDINATE CEILING FRAMEWORK ALL TRADES.
11. ALL REVEALS IN CEILINGS TO BE FRY REGLET EXTRUDED ALUMINUM AS NOTED IN CEILING DETAILS.
12. REFER TO DESIGN ELEVATIONS FOR DIMENSIONED LOCATIONS OF SWITCHES. WHERE DIMENSIONED LOCATIONS ARE NOT NOTED, GC TO COORDINATE PLACEMENT WITH DESIGNER.

**F. MILLWORK:**

1. CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT JOB SITE. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES IN FIELD.
2. CONTRACTOR SHALL CHECK JOB PROGRESS AND COORDINATE WITH OTHER TRADES INVOLVED.
3. PERFORM ALL FABRICATION FROM FIELD MEASUREMENT WITH PROVISION FOR SCRIBING AS REQUIRED TO MEET BUILT-IN CONDITIONS.
4. ALL MILLWORK TO INCLUDE INSTALLATION SHALL BE AWI 'PREMIUM GRADE.'
5. ALL FABRICATED UNITS IN BUILDING READY TO ERECT IN PLACE. MEET ALL APPLICABLE RATING REGULATIONS.
6. GROUNDS, FURNISH, STRAPPING AND BLOCKING SHALL BE FREE FROM KNOTS WHICH WOULD AFFECT THE STRENGTH OR RENDER NAILING DIFFICULT.
7. ALL MATERIALS FOR WOODWORK SHALL BE THOROUGHLY KILN-DRIED.
8. ALL FINISHED WORK SHALL AS FAR AS PRACTICABLE, BE ASSEMBLED AND FINISHED IN THE SHOP AND ON SITE AS SPECIFIED IN THE SHOP DRAWINGS.
9. ALL WORK SHALL BE FABRICATED, ASSEMBLED, FINISHED AND ERECTED IN ACCORDANCE WITH AWI 'PREMIUM GRADE' STANDARDS. SURFACES AND ARISES SHALL BE TRUE, STRAIGHT, AND FREE FROM ALL MACHINE AND TOOL MARKINGS, BRUISES, INDENTATIONS, CHIPS OR ABRASIONS.
10. WHERE MEMBERS ARE MITERED OR BUTTED, THEY SHALL BE JOINED AND IN A MANNER TO INSURE AGAINST THE JOINT OPENING.
11. PROVIDE ALL CABINET DOOR AND SHELVING WORK HARDWARE AS REQUIRED FOR A COMPLETE INSTALLATION. REFER TO HARDWARE SCHEDULE.
12. AFTER TOTAL COMPLETION OF ERECTION, ALL NAIL HOLES, SCRATCHES AND OPEN JOINTS SHALL BE FILED AND TOUCHED UP SO AS TO BE INVISIBLE.
13. ALL WIRE, FLUOQUER MID AND WOOD GENER PLYWOOD TO RECEIVE SOLID EDGE BANDING TO CONCEAL LAMINATIONS. EDGE BANDING TO BE VENEER THICK UNLESS OTHERWISE NOTED.
14. FLITCHES TO BE MAXIMUM PRACTICABLE WIDTHS AND FULL HEIGHT IN SEQUENTIAL BOX MATCH PATTERN OR AS NOTED BY ARCHITECT. GRAIN DIRECTION ON WALL PANELS AND CABINET FACES TO BE VERTICAL UNLESS OTHERWISE NOTED. ARCHITECT TO SELECT ALL FLITCHES.
15. FABRICATE UNITS IN LARGEST PRACTICABLE SECTIONS. ASSEMBLE IN THE SHOP FOR TRIAL FIT. DISASSEMBLE FOR SHIPMENT AND REASSEMBLE WITH CONCEALED FASTENERS.
16. MAINTAIN RELATIVE HUMIDITY AND TEMPERATURE DURING FABRICATION, STORAGE AND FINISHING OPERATIONS MATCHING THAT OF THE AREAS OF INSTALLATION.
17. FACTORY FINISH ALL ITEMS WHERE POSSIBLE. DEFER FINAL TOUCH-UP, CLEANING AND POLISHING UNTIL AFTER DELIVERY AND INSTALLATION.
18. PANELING- PROVIDE CONCEALED WOOD BLOCKING AND FRAMING, ANCHORS, CLIPS, SPLINES, SUPPORTING AND ATTACHING DEVICES. PROVIDE CUT-OUTS TO RECEIVE ATTACHMENTS, MECHANICAL AND ELECTRICAL WORK AS REQUIRED.
19. MAKE ALL JOINTS HAIRLINE TIGHT, FITTED ACCURATELY AND JOINED WITH HARDWOOD SPLINES OR DOWELS, GLUED TOGETHER OR BY OTHER METHOD APPROVED BY DESIGNER. USE SCREWS, NOT NAILS, FOR FASTENING TO GYPSUM BOARD.
20. ALL DRAWERS SHALL BE MAXIMUM DEPTH OF THE HOUSE CABINET W/ FULL EXTENSION, SOFT CLOSING SLIDES, 100 LBS MIN CAPACITY, UNO.
21. ALL CABINET DOORS SHALL HAVE SOFT CLOSING CONCEALED ERO HINGES, UNO. WHEN THE DOOR OPEN ADJACENT TO A PERPENDICULAR WALL CONTRACTOR SHALL PROVIDE LIMITER CLIPS TO PREVENT CLASHING DOOR W/ WALL AND HINGE AT MAXIMUM O.C.
22. ALL DRAWERS & CABINET DOOR PANELS SHALL BE FITTED W/ (4) FOUR 1/8" THK CLEAR SELF-ADHESIVE BUMPERS AS EACH CORNER.
23. ALL REVEAL JOINTS BETWEEN CABINET & DRAWER PANELS SHALL ALIGN + BE LEVEL + PLUMB.

**G. GYPSUM BOARD WORK:**

1. GYPSUM BOARD PARTITIONS SHALL TYPICALLY CONSIST OF 2X6 WOOD STUDS AT 16" O.C. WITHOUT EXCEPTION, STUDS SHALL BE FIRMLY ANCHORED TO THE FLOOR AND CEILING PLATES. THE FLOOR AND CEILING PLATES SHALL IN TURN BE ANCHORED TO THE FLOOR AND CEILING STRUCTURES WITH TWO CONTINUOUS BEADS OF ACOUSTIC/FIRE SEALANT BETWEEN SUBSTRUCTURE & RUNNER.
2. ALL GYPSUM BOARD WORK SHALL BE INSTALLED IN STRICT ACCORDANCE WITH ALL AUTHORITIES HAVING JURISDICTION AND WITH MANUFACTURER'S PRINTED INSTALLATION INSTRUCTIONS. ALL NEW GYPSUM SURFACES TO BE LEVEL 4 DRYWALL FINISH AND BOARDS TO HAVE TAPERED EDGES.
3. PROVIDE ALL REQUIRED FASTENERS, ANCHORS, ADHESIVES, COMPOUNDS, ETC. AS INDICATED PER GYPSUM BOARD MANUFACTURERS AND AS REQUIRED FOR A COMPLETE INSTALLATION.
4. ALL EXPOSED EDGES AND/OR CORNERS OF GYPSUM BOARD SHALL RECEIVE A HOT-DIPPED GALVANIZED METAL CORNER BEAD AND ALL EDGES OF A GYPSUM BOARD ABUTTING OTHER MATERIAL SHALL RECEIVE A HOT-DIPPED GALVANIZED METAL CASING BEAD, TAPED AND SPACKLED SMOOTH.
5. PROVIDE NEW SPECIAL WATER RESISTANT TYPE GYPSUM BOARD IN ALL WET LOCATIONS SUCH AS BATHROOMS, PROVIDE CEMENT BOARD SUCH AS DUROCK AT ALL SHOWER AND BATH AREAS OVER MEMBRANE WATER PROOFING.
6. WALLS SHOWN ALIGNED WITH EXISTING BUILDING CONSTRUCTION SHALL BE FLUSH AND SMOOTH WITH EXISTING BUILDING CONSTRUCTION UNLESS OTHERWISE INDICATED.
7. ALL PARTITIONS SHALL BE FURNISHED WITH BASES AS INDICATED IN THE CONTRACT DOCUMENTS.
8. ALL NEW PARTITIONS SHALL BE TAPED, SPACKLED AND SANDED.
9. WHERE SPECIFIED, PLYWOOD UNDERLAYMENT TO HAVE STAGGERED JOINTS. GWB OVERLAY ALSO STAGGERED SO THAT PLYWOOD JOINTS DO NOT TELEGRAPH THROUGH TO SURFACE OF GWB.
10. AT EXISTING PARTITIONS, CONTRACTOR TO PROBE WALL TO LOCATE STUDS AND COORDINATE WITH NEW CONSTRUCTION.
11. PROVIDE A FULL SKIM COAT OF COMPOUND AT ALL EXISTING AND NEW GWB SURFACES THAT ARE NOT SMOOTH AND TRUE.
12. ALL DRYWALL SURFACES ABUTTING FINISH CASEWORK SHALL RECEIVE SKIM COATING AS REQUIRED TO MAKE SURFACE LEVEL AND PLUMB.

**H. SHOP DRAWINGS & SAMPLES:**

1. SUBMIT SHOP DRAWINGS FOR DESIGNERS APPROVAL FOR THE FOLLOWING ITEMS: CABINETRY/MILLWORK, ALL DOOR & WINDOW ASSEMBLIES, ALL METAL WORK & STRUCTURAL STEEL, TILE LAYOUT DETAILS WITH STARTING POINTS AND JOINT LAYOUT, CUSTOM CONCRETE, MECHANICAL DUCTWORK, ELECTRICAL WORK, GLAZED ASSEMBLIES.
2. CONTRACTOR SHALL SUBMIT ALL FINISH MATERIALS, INCLUDING BUT NOT LIMITED TO, TILE, GLASS, STONE, WOOD VENEER FOR DESIGNER/OWNER REVIEW. SAMPLES MAY BE REVIEWED ON SITE. SEE PROJECT MANUAL.

**I. HVAC:**

1. CONTRACTOR TO TEST ANY FANS, EXHAUSTS, MECHANICAL EQUIPMENT PRIOR TO HANDOVER OF PROJECT TO OWNER.
2. NEW DWELLING UNIT SHALL HAVE A MECHANICAL VENTILATION SYSTEM.

**J. PAINTING:**

1. ALL AREAS RECEIVING PAINT, AS INDICATED IN FINISH SCHEDULE, SHALL BE PAINTED IN ACCORDANCE WITH PAINT MANUFACTURE'S WRITTEN INSTRUCTIONS.
2. WALLS SCHEDULED TO BE PAINTED SHALL INCLUDE SURFACES FROM FLOOR TO CEILING INCLUDING FILASTERS, FASCIAS, DOORS, BUCKS, REVEALS, AND ALL SURFACES NOT INCLUDING FLOOR AND CEILINGS.
3. PAINT GYPSUM CEILINGS AND WALLS AS PER FINISH SCHEDULE.
4. PAINT COLORS AND TEXTURES SHALL BE SELECTED AND SPECIFIED IN FINISH SCHEDULE, AND CONTRACTOR SHALL SUBMIT THREE 18"x18" SAMPLES OF EACH SELECTED COLOR AND TEXTURE FOR DESIGNER'S REVIEW.
5. ALL WALLS AND CEILINGS SHALL BE PROPERLY PREPARED, SPACKLED, SANDED, ETC., TO PROVIDE A PERFECTLY SMOOTH SURFACE TO RECEIVE PAINT, SKIM COAT, ETC. AS REQUIRED.
6. ALL PAINT SHALL BE WATER BASED PAINT, PROVIDE ONE (1) PRIMER COAT AND TWO (2) FINISH COATS OF PAINT AS SPECIFIED IN FINISH SCHEDULE.
7. ALL ROOMS TO BE BENJAMIN MOORE AURA, DUNN EDWARDS SUPREMA OR APPROVED EQUAL. COLORS & FINISH TBD BY DESIGNER.

**K. PLUMBING NOTES:**

1. PROVIDE ALL PLUMBING ROUGHING AS INDICATED OR IMPLIED BY CONTRACT DOCUMENTS.
2. ALL FIXTURES AND ACCESSORIES TO BE PROVIDED AND INSTALLED BY CONTRACTOR AS PER MANUFACTURER'S GUIDELINES. IF CONTRACTOR FINDS THAT COMPONENTS OR ITEMS ARE MISSING WHICH ARE REQUIRED FOR THE COMPLETE INSTALLATION AS IMPLIED IN THE CONTRACT DOCUMENTS THE GC SHALL NOTIFY THE DESIGNER IMMEDIATELY FOR COORDINATION.
3. PLUMBING WORK SHALL BE COORDINATED WITH ALL OTHER TRADES.
4. INSTALL FIXTURES, LINES OR PIECES OF THE APPROVED ALL VALVES AS INDICATED ON THE DRAWINGS OR AS MAY BE REQUIRED FOR THE PROPER CONTROL OF THE VARIOUS APPARATUS AND PIPELINES SO THAT ANY OF THE FIXTURE, LINES OR PIECES OF APPARATUS MAY BE CUT OFF FOR REPAIR WITHOUT INTERFERING OR INTERRUPTING SERVICE TO THE REST OF THE PROJECT. ALL VALVES SHALL BE DESIGNED FOR REPACKING WHEN WIDE OPEN UNDER PRESSURE.
5. BEFORE BEING COVERED OR BUILT IN, ATED PIPING SHALL BE TESTED AS REQUESTED BY THE AUTHORITIES HAVING JURISDICTION AND WITNESS BY THE OWNER, DESIGNER AND OR BUILDING ENGINEER.
6. DIVERSION OF PLUMBING SHALL NOT INTERRUPT DRAINAGE SERVICE IN ANY WAY.
7. REMOVE ANY DORMANT PIPES DISCOVERED.
8. CONTRACTOR TO ENSURE THAT ANY EXISTING PIPES ARE IN GOOD CONDITION OR REMEDY OR REPLACE EXISTING PIPES.
9. IDENTIFY ALL ITEMS REQUIRING SERVICE ACCESS AND PROVIDE APPROVED TYPE ACCESS DOORS. SUCH LOCATIONS TO BE COORDINATED AND APPROVED BY DESIGNER. ACCESS DOOR TO BE RECESSED FOR DRYWALL SURFACES.
10. IF REQUIRED A NEW WATER METER SHALL BE INSTALLED TO MEET CAPACITY OF THE NEW DOMESTIC AND SINKER CAPACITY DEMAND.
11. WATER METERS SHALL BE PLACED NEAR THE PROPERTY LINE AND OUT OF THE DRIVEWAY APPROACH WHENEVER POSSIBLE.
12. THE WATER METER BOX MUST BE PURCHASED FORM THE CITY AND MUST HAVE A TRAFFIC RATED LID IF THE BOX IS LOCATED IN THE DRIVEWAY.

**L. WOOD FLOORING:**

1. GENERAL STANDARDS TO COMPLY WITH RECOMMENDATIONS OF NATIONAL FLOORING MANUFACTURER'S ASSOCIATION (NOFMA).
2. ALL FLOORING TO BE INSTALLED AS SPECIFIED IN FINISH SCHEDULE AND AS PER MANUFACTURER'S WRITTEN INSTALLATION INSTRUCTIONS.
3. PROTECT FLOORING FROM EXCESSIVE MOISTURE IN SHIPMENT, STORAGE AND HANDLING. DELIVER IN UNOPENED CARTONS OR BUNDLES AND STORE IN A DRY PLACE WITH ADEQUATE AIR CIRCULATION. DO NOT DELIVER MATERIAL TO BUILDING UNTIL WET WORK SUCH AS CONCRETE HAVE BEEN COMPLETED AND CURED TO ADEQUATE LEVEL.
4. PROVIDE MOCK-UP OF WOOD 4'x4' SQUARE ON SITE (TO BE REPLACED WITH FINAL FLOORING) FOR DESIGNER AND OWNER REVIEW AND APPROVE.
5. WHERE THE SUBFLOOR IS NOT LEVEL, THE CONTRACTOR SHALL TAKE MEASURES TO LEVEL THE SUBSTRATE WITHOUT AFFECTING THE INSTALLATION OF FLOOR.
6. GRAINBOARD DIRECTION SHALL BE INDICATED ON FLOOR PLAN.
7. CONTRACTOR SHALL PROVIDE MANUFACTURER RECOMMENDED VAPOR BARRIER OVER SUBFLOOR THROUGHOUT PROJECT AND PROVIDE 1/4" FLOOR UNDERLAYMENT.
8. CONTRACTOR SHALL STORE WOOD FLOOR ON SITE FOR MINIMUM OF TWO WEEKS TO ALLOW WOOD TO ACCLIMATE PRIOR TO INSTALLATION. BOARDS SHALL BE SPACED OUT TO ALLOW AIR FLOW ACROSS ALL FACES OF EACH BOARD.
9. ADHESIVE AND FASTENING AGENTS USED TO INSTALL FLOORING SHALL BE MANUFACTURER APPROVED ONLY.
10. CONTRACTOR SHALL COORDINATE AND ALLOW FOR (IF ANY) THERMAL EXPANSION TO PREVENT PLANKS FROM BUCKLING.
11. BOARDS SHALL BE A MINIMUM OF 60" IN LENGTH AND SHALL NOT ACCOUNT FOR MORE THAN 25% OF THE BOARD MIX. REMAINING MIX OF BOARDS SHALL BE AT MINIMUM 25% 5'-8", 25% 8'-10" & 25% 10'-0" AND LONGER.
12. SEE FINISH AND MATERIAL SCHEDULE FOR MORE INFORMATION.

**M. DOOR NOTES:**

1. ALL DOORS TO BE 1-3/4" SOLID LUMBER CORE FLUSH WHITE OAK VENEER DOORS W/ 1'A FACE ON BOTH SIDES OR APPROVED EQUAL. DOORS IN EXCESS OF 36" IN WIDTH AND/OR 96" IN HEIGHT SHALL BE 2" IN THICKNESS.
2. DOORS SHALL BE MANUFACTURED BY WEYERHAEUSER, ALGOMA OR EGERS HARDWOOD PRODUCTS
3. DOORS WHEN INSTALLED SHALL NOT BOW OR BECOME OUT OF PLANE. ALL DOORS SHALL BE FABRICATED TO ACCOMMODATE SELF WEIGHT AND THE DISTRIBUTION OF WEIGHT SPECIFIC TO OPERATION AND ATTACHMENT OF ASSIGNED HARDWARE EACH DOOR.
4. ALL DOOR STOPS SHALL BE LOCATED IN THE FIELD W/ DESIGNER & OWNER PRIOR TO INSTALLATION.

**N. STONE NOTES:**

1. A WATERPROOFING MEMBRANE SHALL BE PLACED OVER ALL PORTIONS OF SUBFLOOR AT BATHROOMS AND RUN UP VERTICAL AT ALL WALLS AS HIGH AS POSSIBLE, BUT A MINIMUM OF 12" ABOVE FINISHED FLR. WHILE REMAINING CONCEALED BEHIND THE WALL BASE TRIM AND OR WALL CLADDING MATERIAL.
2. ANY STONE OR TILE SHALL BE SET LEVEL, PLUMB AND FLUSH ALIGNED. JOINTS SHALL BE 1/8" MAX AND 1/16" MIN.
3. GROUT COLOR SHALL BE AS PER FINISH SCHEDULE AND A SAMPLE MEASURING 12"x12" SHALL BE SUBMITTED FOR DESIGNER AND OWNER APPROVAL.
4. FINAL STONE, TILE INSTALLATION SHALL BE FREE OF CHIPS, SCRATCHES, GROUT HAZE OR STAINS.
5. ALL EXPOSED EDGES ON COUNTERTOPS SHALL BE SLIGHTLY EASED, 1/8" MAX AT ALL UNDERMOUNT SINKS AND TUBS AND 1/16" MAX AT ALL OTHER LOCATIONS. CONTRACTOR SHALL SUBMIT AN EASED EDGE SAMPLE FOR DESIGNER'S REVIEW.
6. ALL STONE TO BE FINISHED WITH DRY TREAT LEVEL BRAND SEALER OR SUPPLIER RECOMMENDED SEALER.
7. CONTRACTOR SHALL CLEAN, PATCH AND REVEAL THE SUBFLOOR AS REQUIRED FOR ALL TILESTONE FLOORING.

**O. GLASS NOTES:**

1. ALL GLASS SHALL BE SIZE CRITICAL BASED ON FIELD DIMENSIONS
2. ALL GLASS, UON, SHALL BE WATER WHITE GLASS AND TEMPERED WHERE REQUIRED BY CODE

**P. TEMPORARY MEASURES:**

1. GC SHALL MAINTAIN A COMPUTER & INTERNET CONNECTION TO RECEIVE SKETCHES & TRANSMISSIONS ON SITE DURING CONSTRUCTION. GC SHALL ALSO PROVIDE THE DESIGNER WITH A TELEPHONE NUMBER FOR THE JOB SITE WHETHER WIRED OR MOBILE.
2. GC TO PROVIDE A FIRE EXTINGUISHER AND FIRST AID KIT ON SITE DURING CONSTRUCTION.
3. GC SHALL PROVIDE A NEST WEBCAM OR APPROVED EQUIVALENT FOR REMOTE VIEWING OF SITE FROM TWO LOCATIONS. OWNER SHALL INSTALL & PAY COST OF INTERNET BANDWIDTH TO SUPPORT CONTINUOUS CAMERA FEED.

**Q. LANDSCAPE & LANDSCAPE IRRIGATION:**

1. ALL LANDSCAPE IRRIGATION BACKFLOW DEVICES MUST MEET CURRENT JURISDICTION'S REQUIREMENTS FOR PROPER INSTALLATION.

**R. FIRE DEPARTMENT NOTES:**

1. GC TO REFER TO APPLICABLE FIRE CODE NOTES RELEVANT TO NEW CONSTRUCTION OF SINGLE FAMILY RESIDENCE.
2. PROJECT CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE STANDARDS OF THE MOST CURRENT BUILDING AND MUNICIPAL CODES AS ADOPTED BY GOVERNING JURISDICTIONS OF THE PROJECT LOCATION AT TIME OF INITIAL FILING.
3. A SET OF PLANS MUST REMAIN ON THE JOB SITE AT ALL TIMES. APPOINTMENTS FOR INSPECTIONS, IF REQUIRED, SHOULD BE MADE AT LEAST TWO DAYS IN ADVANCE OF THE REQUIRED INSPECTION.
4. AN APPROVED KEY BOX SHALL BE INSTALLED, WITH THE APPROPRIATE KEYS, FOR EMERGENCY FIRE DEPARTMENT ACCESS IN A LOCATION APPROVED BY THE FIRE DEPARTMENT. THE KEY BOX SHALL BE A KNOX BOX BRAND AN DSIZED TO ACCOMMODATE KEYS TO EVERY DOOR OF THE PROJECT.
5. FIRE EXTINGUISHERS SHALL BE INSTALLED AND MAINTAINED PER 2018 IFC SECTION 906 BOTH DURING CONSTRUCTION AND UPON OCCUPANCY OF THE BUILDING. DURING CONSTRUCTION, FIRE EXTINGUISHERS SHALL BE PLACED IN A CONSPICUOUS, EASY TO ACCESS, UNOBSTRUCTED LOCATION THAT IS LESS THAN 75' TRAVEL DISTANCE TO ANY COMBUSTIBLES ON SITE, 30' TO ANY HOT WORK. EXTINGUISHERS SHALL BE MOUNTED IN A CONSPICUOUS, EASY TO ACCESS, UNOBSTRUCTED LOCATION UPON COMPLETION OF PROJECT. RESIDENCE SHALL HAVE A MINIMUM OF ONE EXTINGUISHER PER GARAGE AND ONE EXTINGUISHER PER KITCHEN AREA.
6. APPROVED ADDRESS NUMBERS SHALL BE PLACED IN SUCH A POSITION TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE ROAD FRONTING THE PROPERTY. NUMBERS AND LETTERS SHALL BE A MINIMUM OF FOUR (4) INCHES TALL, HAVE A MINIMUM 1/2" BRUSH STROKE, CONTRAST WITH THEIR BACKGROUND, AND BE POSITIONED A MINIMUM OF FORTY-EIGHT (48) INCHES ABOVE FINAL GRADE.
7. VEHICLE PARKING AND MATERIAL STORAGE DURING CONSTRUCTION SHALL NOT RESTRICT OR OBSTRUCT PUBLIC STREETS OR ACCESS TO ANY BUILDING. A MINIMUM TWENTY FOOT TRAVEL LANE FOR EMERGENCY VEHICLE ACCESS SHALL BE MAINTAINED CLEAR AND UNOBSTRUCTED AT ALL TIMES. ALL REQUIRED FIRE LANES, INCLUDING WITHIN 15 FEET OF FIRE HYDRANTS, SHALL BE MAINTAINED CLEAR AND UNOBSTRUCTED AT ALL TIMES.
8. PROVIDE FIRE HYDRANT FOR THE PROPERTY AS REQ'D PER NLTFD REQUIREMENTS AND IFC Table C102.1 (IFC Appendix C).
9. ALL BUILDINGS EQUIPPED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM SHALL HAVE A MONITORED FIRE ALARM PER (IFC 903.4) PLANS AND INSTALLATION OF 13R FIRE SPRINKLER AND MONITORED FIRE ALARM SYSTEM UNDER SEPARATE PERMIT PER RESOLUTION 16-1.

**S. FIRE PROTECTION**

1. (IFC 907.2.1): INTERCONNECTED SMOKE ALARMS SHALL BE INSTALLED INSIDE ALL BEDROOMS, ON THE CEILING OR WALL OUTSIDE OF EACH BEDROOM AND IN EVERY STORY IN THE DWELLING UNIT INCLUDING BASEMENTS BUT NOT CRAWL SPACES, UNINHABITED ATTICS AND GARAGES.
2. CARBON MONOXIDE ALARMS SHALL BE INSTALLED IMMEDIATELY OUTSIDE OF ALL BEDROOMS AND IN THE IMMEDIATE VICINITY OF BEDROOMS IN DWELLING UNITS WITHIN WHICH FUEL FIRED APPLIANCES ARE INSTALLED, AND IN DWELLING UNITS THAT HAVE ATTACHED GARAGES.
3. CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING, SHALL BE EQUIPPED WITH A BATTERY BACKUP AND INTERCONNECTED.
4. CUT SHEETS OF ALL DEVICES SHALL BE SUBMITTED TO ARCHITECT PRIOR TO PURCHASE AND INSTALLATION.
5. FIRE SUPPRESSION SHALL BE PROVIDED IN NEW DWELLING UNIT, ATTACHED GARAGE AND ANY CRAWL SPACES IF APPLICABLE. THE AUTOMATIC RESIDENTIAL SPRINKLER SYSTEM WILL COMPLY WITH NFPA 13R, MONITORED BY AN APPROVED FIRE ALARM SYSTEM IN ACCORDANCE WITH NFPA 72, AND PER REQ'S OF AUTHORITY HAVING JURISDICTION.

**T. COUNTY RIGHT-OF-WAY**

1. AN EXCAVATION AND ENCROACHMENT PERMIT IS REQUIRED PRIOR TO ANY IMPROVEMENTS N THE COUNTY RIGHT-OF-WAY. PERMIT MUST BE OBTAIN BY COUNTY APPROVED CONTRACTOR.
2. A REVOCABLE OCCUPANCY PERMIT MUST BE OBTAINED SHALL THE BEAR BOX LOCATION BE WITHIN 12' OF EDGE OF PAVEMENT.

**U. FLOODPLAIN NOTES**

1. ALL NEW CONSTRUCTION, SUBSTANTIAL IMPROVEMENTS, AND DEVELOPMENT SHALL BE CONSTRUCTED WITH MATERIALS AND UTILITY EQUIPMENT RESISTANT TO FLOOD DAMAGE IN ACCORDANCE WITH FEMA TECHNICAL BULLETIN 2, FLOOD DAMAGE-RESISTANT MATERIALS REQUIREMENTS. ALL MATERIALS LOCATED BELOW THE BASE FLOOD ELEVATION SHALL MEET THE REQUIREMENTS OF BEING FLOOD RESISTANT. MATERIALS INCLUDE FERROUS METAL AND /OR STEEL PANELS WITH WATERPROOF ADHESIVES.
2. ALL NEW CONSTRUCTION AND SUBSTANTIAL IMPROVEMENTS SHALL BE ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE RESULTING FROM HYDRODYNAMIC AND HYDROSTATIC LOADS, INCLUDING THE EFFECTS OF BUOYANCY.
3. ALL NEW AND REPLACEMENT ELECTRICAL, HEAT, VENTILATION, PLUMBING, AIR CONDITIONING EQUIPMENT, AND OTHER SERVICE FACILITIES SHALL BE DESIGNED AND/OR LOCATED SO AS TO PREVENT WATER FROM ENTERING OR ACCUMULATING WITHIN THE COMPONENTS DURING CONDITIONS OF FLOODING TO THE FLOOD PROTECTION ELEVATION. THESE INCLUDE, BUT ARE NOT LIMITED TO, HVAC EQUIPMENT, WATER SOFTENER UNITS, BATH/KITCHEN FIXTURES, DUCTWORK, ELECTRIC/GAS METER PANELS/BOXES, UTILITY/CABLE BOXES, HOT WATER HEATERS, AND ELECTRIC OUTLETS/SWITCHES.

**450 WOOD RIVER**

OWNER:  
**450-490 WOOD RIVER, LLC**  
 ATT: FRAZIER CAVNESS  
 P.O. BOX 14001-174  
 KETCHUM, ID 83340

PROJECT ARCHITECT:  
**RO | ROCKETT DESIGN,**  
 1011 W. MANCHESTER BLVD. UNIT 6  
 INGLEVWOOD, CA 90301  
 TEL: 213.784.0014

CONTRACTOR:  
 (BLANK)

GEOTECHNICAL ENGINEER:  
**BUTLER ASSOCIATES, INC.**  
 319 MAIN STREET  
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 TEL: 208.720.6432

CIVIL ENGINEER:  
**BENCHMARK ASSOCIATES**  
 100 BELL DRIVE  
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 TEL: 208.726.9512

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 319 MAIN STREET  
 EL SEGUNDO, CA 90245  
 TEL: 213.239.9700

MEP ENGINEER:  
**CONSULTING ENGINEERING SERVICES (CES)**  
 1

Ketchum Fire Department

FIRE COMMENTS MEMO

To: Frazier Cavness
CC: Ketchum Building
From: Seth Martin, Assistant Chief / Fire Marshal
Date: December 26, 2023
Subject: 450 Wood River Dr

It is the General Contractor's responsibility to understand and adhere to all Fire Protection Ordinance #1217 requirements in addition to all City of Ketchum requirements in effect at the time of Building Permit issuance.

The above project shall meet all 2018 International Fire Code requirements in addition to specific City Building and Fire Ordinances.

An approved automatic fire sprinkler system shall be installed throughout the building per City of Ketchum Ordinance #1217 (www.ketchumfire.org) and the National Fire Protection Association Standard 13.

NOTE: One electronic set of fire sprinkler system plans must be submitted to the Ketchum Fire Department as well as the State Fire Marshals office and a Ketchum Fire Department Permit must be obtained prior to installation of fire sprinkler systems.

An approved monitored fire detection system shall be installed per City of Ketchum Ordinance #1217 (www.ketchumfire.org) and the requirements of NFPA 72.

An approved monitored fire sprinkler alarm system shall be installed per City of Ketchum Ordinance #1217 (www.ketchumfire.org) and the requirements of NFPA 72.

An approved key box shall be installed, with the appropriate keys, for emergency fire department access in a location approved by the fire department.

An approved access roadway per 2018 International Fire Code Appendix D (www.ketchumfire.org) shall be installed prior to any combustible construction on the site.

Smoke and Carbon Monoxide Detectors shall be installed per NFPA and the International Fire Code. Smoke detectors shall be installed inside each bedroom, within 21' of each sleeping area.

Fire extinguishers shall be installed and maintained per 2018 IFC Section 906 both during construction and upon occupancy of the building.

Approved address numbers shall be placed in such a position to be plainly visible and legible from the road fronting the property.

Vehicle parking and material storage during construction shall not restrict or obstruct public streets or access to any building.

This project shall comply with the City of Ketchum Fire Protection and defensible space characteristics. Exterior windows, window walls, glazed doors, windows within exterior doors, and skylights shall be tempered glass.

resistive vegetation or growth shall be kept clear of buildings and structures, in such a manner as to provide a clear area for fire suppression operations.

Note: Additional requirements may be added upon final plan review.

450 WOOD RIVER

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450-490 WOOD RIVER, LLC
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LIGHTING:

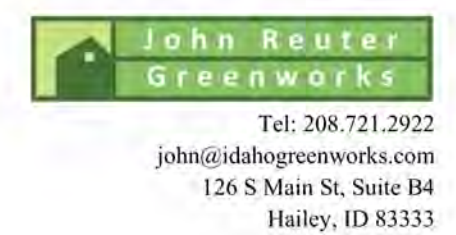
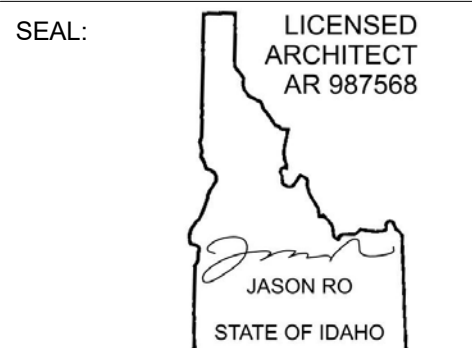
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AV:

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2700 HOMESTEAD RD
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450 Wood River Drive
2018 IECC Prescriptive Path with Idaho Amendment
August 18, 2023

The new residence at 450 Wood River Drive, Ketchum, ID intends to use the 2018 IECC prescriptive path with Idaho amendment for insulation and fenestration requirements for climate zone 6, as shown in the table below:

Table with 11 columns: Climate Zone, Fenestration U-Factor, Skylight U-factor, Glazed Fenestration SHGC, Ceiling R-Value, Wood Frame Wall R-Value, Mass Wall R-Value, Floor R-Value, Basement Wall R-Value, Slab R-Value & Depth, Crawlspace Wall R-Value. Rows for Climate Zones 5 and 6.

Source: Division of Building Safety, 2020, Idaho Statutes and Administrative Rules, page 8

Specifically, this project intends to use the following components:

Table with 3 columns: Building Component, Insulation Type, R-value / U-value. Rows for Slab, Floors Overhangs and over Garage, Above Grade Walls, Windows and Glass Doors, Solid Doors, Ceilings.

Handwritten signature of John Reuter.

PROJECT NUMBER

2108

DRAWING TITLE:

ENERGY & FIRE DEPT DOCUMENTS

DRAWING NUMBER:

G-005

NOT FOR CONSTRUCTION

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5 SCALE: NTS N ELEVATION

3 SCALE: NTS S ELEVATION



4 SCALE: NTS SE PERSPECTIVE / BACKYARD

2 SCALE: NTS SW PERSPECTIVE / BACKYARD



[A] INTEGRALLY COLORED CONCRETE TO MATCH GRANITE



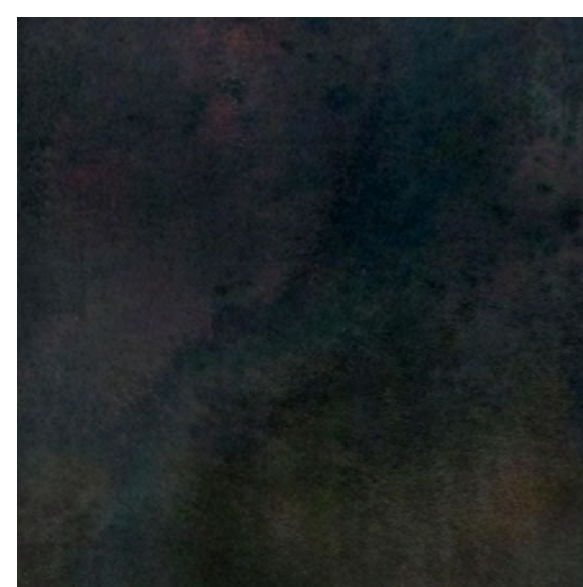
[B] STAINED SAWN CEDAR



[C] FREEFORM NATURAL STONE



[D] LIGHT GRAY PAVERS



[E] BLACK POWDER-COATED METAL

1 SCALE: NTS MATERIALS

**BUILDING ELEVATION NOTES:**  
1. NOTE: PLEASE SEE SHEET G-010 FOR PERMISSIBLE BUILDING HEIGHT DETERMINATION.  
2. ALL MATERIALS TO BE NON-GLARE FINISH, TYP  
3. SEE G-013 FOR BUILDING MATERIALS.

**450 WOOD RIVER**

OWNER:  
**450-490 WOOD RIVER, LLC**  
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SEAL:  LICENSED ARCHITECT AR 987568  
JASON RO  
STATE OF IDAHO

NO	DATE	ISSUE
1	04.16.2024	FDP APP RESUBMITTAL
	12.13.2023	FDP APPLICATION

PROJECT:  
**450 WOOD RIVER**  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

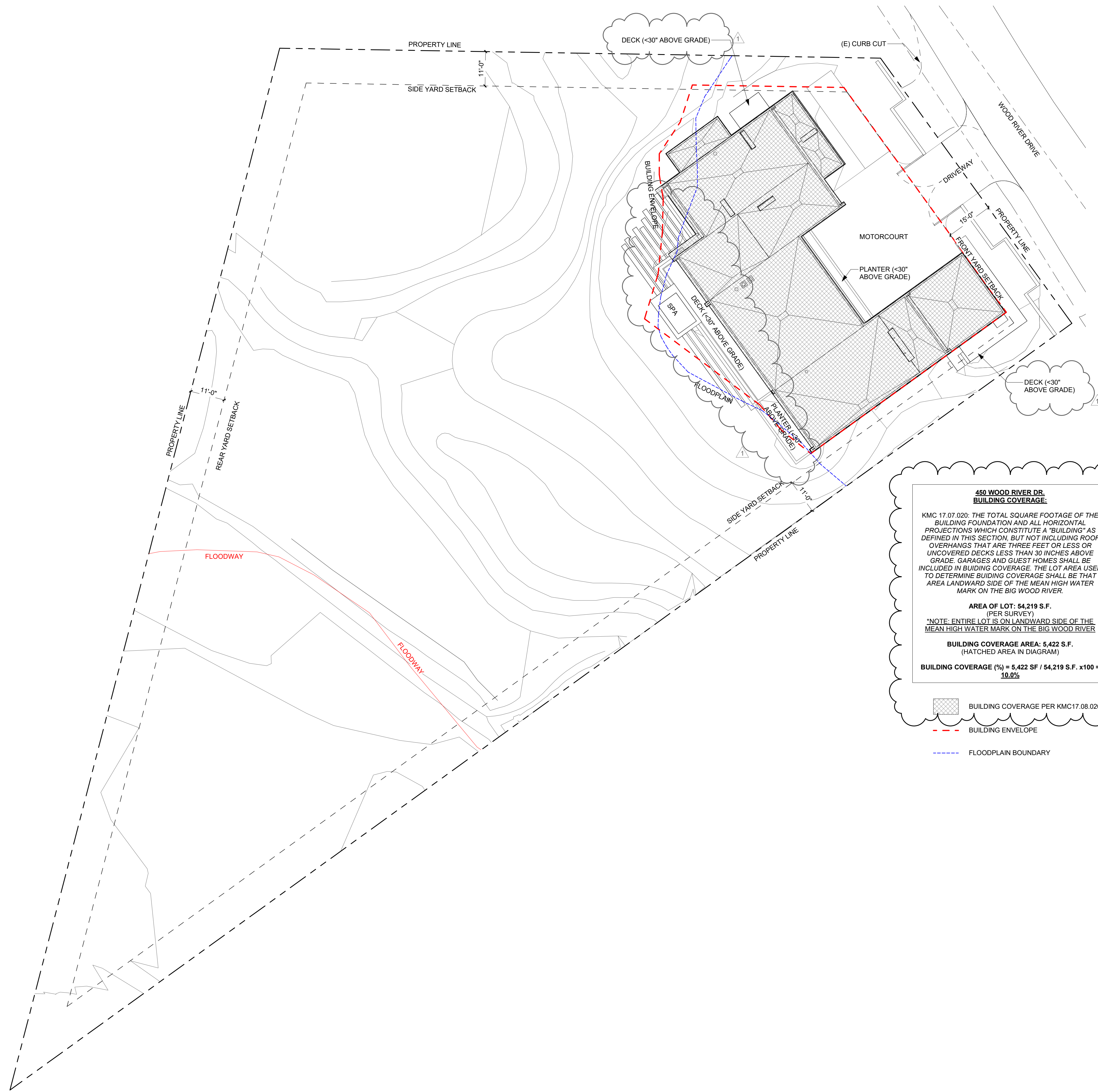
PROJECT NUMBER:  
**2108**

DRAWING TITLE:  
**PERSPECTIVE VIEWS & MATERIALS**

DRAWING NUMBER:  
**G-010**

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**450 WOOD RIVER DR.  
BUILDING COVERAGE:**

KMC 17.07.020: THE TOTAL SQUARE FOOTAGE OF THE BUILDING FOUNDATION AND ALL HORIZONTAL PROJECTIONS WHICH CONSTITUTE A "BUILDING" AS DEFINED IN THIS SECTION, BUT NOT INCLUDING ROOF OVERHANGS THAT ARE THREE FEET OR LESS OR UNCOVERED DECKS LESS THAN 30 INCHES ABOVE GRADE. GARAGES AND GUEST HOMES SHALL BE INCLUDED IN BUILDING COVERAGE. THE LOT AREA USED TO DETERMINE BUILDING COVERAGE SHALL BE THAT AREA LANDWARD SIDE OF THE MEAN HIGH WATER MARK ON THE BIG WOOD RIVER.

**AREA OF LOT: 54,219 S.F.**  
(PER SURVEY)  
\*NOTE: ENTIRE LOT IS ON LANDWARD SIDE OF THE MEAN HIGH WATER MARK ON THE BIG WOOD RIVER

**BUILDING COVERAGE AREA: 5,422 S.F.**  
(HATCHED AREA IN DIAGRAM)

**BUILDING COVERAGE (%) = 5,422 SF / 54,219 S.F. x100 = 10.0%**

BUILDING COVERAGE PER KMC17.08.020  
 BUILDING ENVELOPE  
 FLOODPLAIN BOUNDARY

**450 WOOD RIVER**

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**450-490 WOOD RIVER, LLC**  
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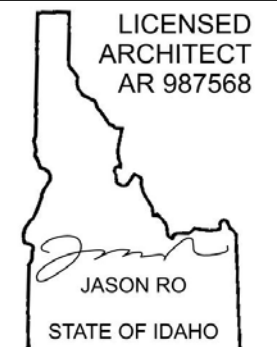
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SEAL: 

1	04.16.2024	FDP APP RESUBMITTAL
	12.13.2023	FDP APPLICATION
NO	DATE	ISSUE

PROJECT:  
**450 WOOD RIVER**  
 450 WOOD RIVER DRIVE  
 KETCHUM, ID 83340

PROJECT NUMBER:  
**2108**

DRAWING TITLE:  
**BUILDING COVERAGE CALCULATIONS**

DRAWING NUMBER:  
**G-011**

**NOT FOR CONSTRUCTION**  
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SCHEDULE - FINISH MATERIALS

IDENTIFIER	DESCRIPTION	LOCATION	MANUFACTURER	MODEL	DIMENSIONS	SPECIES/COLOR	FINISH	COMMENTS
BRK-1	FIREBRICK	RM 101 FP-1, RM 111 FP-2, DECK FP-4	ISOKERN	FIRE BRICK	9" x 4.5" x 1.25"	BLACK - SPLIT	MATTE	CUT FIREBRICK IN HALF ALONG LONG EDGE AND INSTALL IN A STACKED BOND W/ GROUT TO MATCH. FINISHED SIZE 9" x 2" x 1.25"
EPX-1	EPOXY RESIN	RM 106, 113, 204, 214 MECH ROOMS	PENNTEK EVOLUTION COATINGS	POLYASPARTIC POLYUREA CHIP SYSTEM	-	TBD	TBD	PROVIDE 1/16" CUSTOM COLOR FLAKE MIX
GL-1	TEMPERED GLASS	ALL SHOWER DOORS	VITRO OR APPROVED EQ	STARPHIRE	1/2" THICK	CLEAR WATER WHITE	POLISHED / ( 1) ACID ETCHED ONE SIDE / ( 2) ACID ETCHED BOTH SIDES	SIZE CRITICAL, FLAT POLISHED EDGES, TEMPERED AS REQ BY APPLICATION AND CODE
GL-2	FROSTED TEMPERED GLASS	VARIES	CUSTOM	-	PER MANUF	SEE WINDOW SCHEDULE	FROSTED	SEE WINDOW SCHEDULE
GL-4	TEMPERED MIRROR GLASS	ALL BATHROOMS	VITRO OR APPROVED EQ	STARPHIRE	1/4" THK	MIRROR	POLISHED	SIZE CRITICAL, FLAT POLISHED EDGES
GL-5	TINTED TEMPERED MIRROR GLASS	RM 113 POWDER	BENDHEIM OR APPROVED EQ	-	1/2" THK	BRONZE TINTED MIRROR	ANTI-GLARE	SIZE CRITICAL, FLAT POLISHED EDGES
LTH-1	LEATHER	ENTRY DOOR PULL	EDELMAN	TBD	-	BROWN	SMOOTH	PROVIDE SADDLE STITCHING
MTL-1	PTD SHEET METAL	EXTERIOR FLASHING & REVEALS	DREXEL OR EQUAL	TBD	22 GA	TBD	LOW GLOSS	-
MTL-2	PTD PLATE STEEL / BAR STOCK	VARIES	CUSTOM	CUSTOM COLD ROLLED	-	SEE DWGS	PRIMED + PAINTED	-
PLAM-1	ACRYLIC LAMINATE	RM 213 LAUNDRY CSWK OUTERS	FENIX OR APPROVED EQ	J0032 BIANCO KOS	-	WHITE	WHITE	-
PLAM-2	MELAMINE ON MDF	RM 213 LAUNDRY CSWK INNERS	-	-	-	WHITE	WHITE	-
PLAS-1	GWB PLASTER FINISH WET LOCATION	ALL BATHROOMS	TEXSTON	HYDROLIME 125	-	CM-6918-REG-SDGNS-031822	MATTE	TROWEL SMOOTH, PROVIDE WATERPROOF ADDITIVE TO MIX, MATCH BENJAMIN MOORE OC-17 WHITE DOVE
PNT-1	GWB PAINT FINISH	INT WALLS & CEILINGS	BENJIMAN MOORE OR APPROVED EQ	AURA	-	OC-17 WHITE DOVE	EGGSHELL @ WALLS & DAMP / FLAT @ CLGNS	PROVIDE PRIMER & TWO COATS
SSM-1	SOLID SURFACE	SHOWER NICHE, TYP	DUPONT	CORIAN	1/2" THK	RICE PAPER	HONED	-
SSM-2	SOLID SURFACE	RM 213 LAUNDRY COUNTERTOP	DUPONT	CORIAN	1/2" THK	GLACIER WHITE	HONED	-
STN-1	STONE FLOOR TILE	LEVEL 01 & LEVEL 02 FLOORS	MATERIAL BESPOKE STONE + TILE	AVALON KAHLA GREY	12"x24"	KAHLA GREY	FLAMED	3/16" GROUT JOINT, COLOR TBD
STN-2	FREIFORM STONE WALL	RM 101 FP-1 & DECK FP-4 WALLS	SELECT STONE	MUDDY CREEK TUMBLED ASHLAR	VARIES / 2" THK	MUDDY CREEK	NATURAL CLEFT	RANDOMIZED INSTALLATION W/ OVERGROUTED JOINTS, COLOR TBD BY ARCHITECT
STN-3	ROUGH STONE SLAB	RM 113 POWDER; RM 101 FP MANTLE	SELECT STONE	NIAGARA DOLOMITE	3/4" THK UNO	LIMESTONE	SPLITFACE	-
STN-4	DARK STONE SLAB	RM 102 KITCHEN & RM 111 REC	STONELAND	TBD	3/4" THK UNO	TBD	HONED	PROVIDE \$80/SF MATERIAL COST ALLOWANCE, STONE TO BE SHIPPED FROM LOS ANGELES
STN-5	STONE SLAB	RM 108, 208, 212, 216 TYP BATH COUNTER & WALLS	STONELAND	TBD	3/4" THK UNO	TBD	HONED	PROVIDE \$40/SF MATERIAL COST ALLOWANCE, STONE TO BE SHIPPED FROM LOS ANGELES
STN-6	HONED STONE SLAB	RM 113 POWDER	SELECT STONE	NIAGARA DOLOMITE	3/4" THK UNO	LIMESTONE	HONED	3/16" GROUT JOINT, COLOR TBD
STN-7	STONE SLAB	RM 206 PRIMARY BATH WALLS & COUNTERS	STONELAND	TBD	3/4" THK UNO	TBD	HONED	PROVIDE \$80/SF MATERIAL COST ALLOWANCE, STONE TO BE SHIPPED FROM LOS ANGELES
STN-8	RIVER ROCK ROOF BALLAST	LOW ROOFS	SELECT STONE	-	1.5" MIN DIAMETER	GRAY RIVER ROCK	SMOOTH, ROUNDED	-
STN-9	EXT STONE FLOOR TILE	LEVEL 02 EXTERIOR SLIDING DOOR SILLS	STONELAND	TBD	3/4" THK UNO	BLACK GRANITE	TBD	-
TL-1	CERAMIC TILE	RM 213 LAUNDRY BACKSPASH	ANN SACKS	ELEMENTS FIELD TILE	1.75" x 11"	WHITE	MATTE	STACKED BOND 1/8" NON-SANDED GROUT JOINT, COLOR TBD
TXT-1	UPHOLSTERY	RM 100 FOYER & RM 104 MUD	TBD	TBD	TBD	TBD	TBD	PROVIDE MATERIAL ALLOWANCE OF \$150/YD
WD-1	WOOD SIDING - INTERIOR	INTERIOR WD WALLS & CEILINGS	MADERA	WALL / CEILING PANELING	3/4" x 6"	ENGINEERED PLAIN SAWN AMERICAN WHITE OAK T&G PANELS	MATTE	CONCEALED FASTENERS. SEE INT ELEVATIONS FOR ORIENTATION. PROVIDE MATERIAL ALLOWANCE OF \$20/SF.
WD-1E	WOOD SIDING - EXTERIOR	EXTERIOR WD WALLS & CEILINGS	RESAWN LUMBER	TAKU - T&G SIDING	3/4" x 6"	WEATHERED ALASKAN YELLOW CEDAR	TAKU	SEAL ALL SIDES. CONCEALED / BLIND SS FASTENERS. SEE EXT ELEVATIONS FOR SIDING ORIENTATION.
WD-2	EXTERIOR WOOD SLAT	EXTERIOR SCREENS	RESAWN LUMBER	TAKU - SOLID STOCK	SEE DWGS	WEATHERED ALASKAN YELLOW CEDAR	TAKU	SEAL ALL SIDES. CONCEALED / BLIND SS FASTENERS. SEE EXT ELEVATIONS FOR SIDING ORIENTATION.
WD-3	SOLID WOOD	INTERIOR SLATS / SCREENS / DOOR FRAMES	CUSTOM	-	SEE DWGS	LIVE SAWN AMERICAN WHITE OAK, MATCH WD-1	CLEAR MATTE POLYURETHANE	-
WD-4	WOOD FLOORING	BED 1 & LEVEL 02 FLOOR	MADERA	TBD	3/4" x 8"	LIVE SAWN WHITE OAK	DANIELLE	-
WD-5	WOOD VENEER	CASEWORK / DOORS / WALL PANELS	GL VENEER	-	-	TO BE SELECTED BY ARCHITECT	TO BE SELECTED BY ARCHITECT	CLEAR PREMIUM GRADE; SOLID WOOD TRANSITION PIECES AS NEEDED; ARCHITECT TO SELECT VENEERS AND LAYOUT; SOURCED FROM GL VENEERS IN LOS ANGELES. CA VENEERS TO BE LAID UP IN SEQUENCE PER ARCHITECT INSTRUCTIONS AND CUSTOM MOUNTED TO BALTIC BIRCH PLYWOOD; BOOKMATCHED AND USED IN SEQUENCE THROUGHOUT ROOMS

450 WOOD RIVER

OWNER:

450-490 WOOD RIVER, LLC  
ATTN: FRAZIER CAVNESS  
P.O. BOX 1400174  
KETCHUM, ID 83340

PROJECT ARCHITECT:

RO | ROCKETT DESIGN  
1031 W. MANCHESTER BLVD. UNIT 6  
INGLEWOOD, CA 90301  
TEL: 213.784.0014

CONTRACTOR:

GEOTECHNICAL ENGINEER:

BUTLER ASSOCIATES, INC.  
P.O. BOX 1034  
KETCHUM, ID 83340  
TEL: 208.720.6432

CIVIL ENGINEER:

BENCHMARK ASSOCIATES  
100 BELL DRIVE  
KETCHUM, ID 83340  
TEL: 208.726.9512

LANDSCAPE ARCHITECT:

FIELD STUDIO LANDSCAPE ARCHITECTS  
722 N. ROUSE AVENUE  
BOZEMAN, MT 59715  
TEL: 406.551.2098

STRUCTURAL ENGINEER:

LABIB FUNK & ASSOCIATES  
319 MAIN STREET  
EL SEGUNDO, CA 90245  
TEL: 213.239.9700

MEP ENGINEER:

CONSULTING ENGINEERING SERVICES (CES)  
1001 W OAK BLDG  
BOZEMAN, MT 59715  
TEL: 406.272.0352

LIGHTING:

KGM ARCHITECTURAL LIGHTING  
270 CORAL CIRCLE  
EL SEGUNDO, CA 90245  
TEL: 310.552.2191

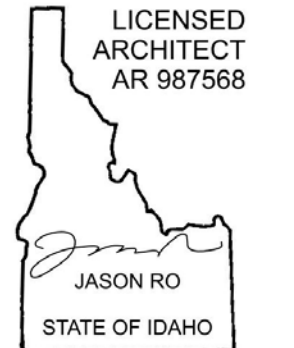
AV:

AUDIO VIDEO SYSTEMS, INC.  
2700 HOMESTEAD RD  
PARK CITY, UT 84098  
TEL: 801.649.5200

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SEAL:



NO	DATE	FDP APPLICATION ISSUE
12.13.2023		

PROJECT:

450 WOOD RIVER  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

PROJECT NUMBER

2108

DRAWING TITLE:

FINISH MATERIAL SCHEDULE

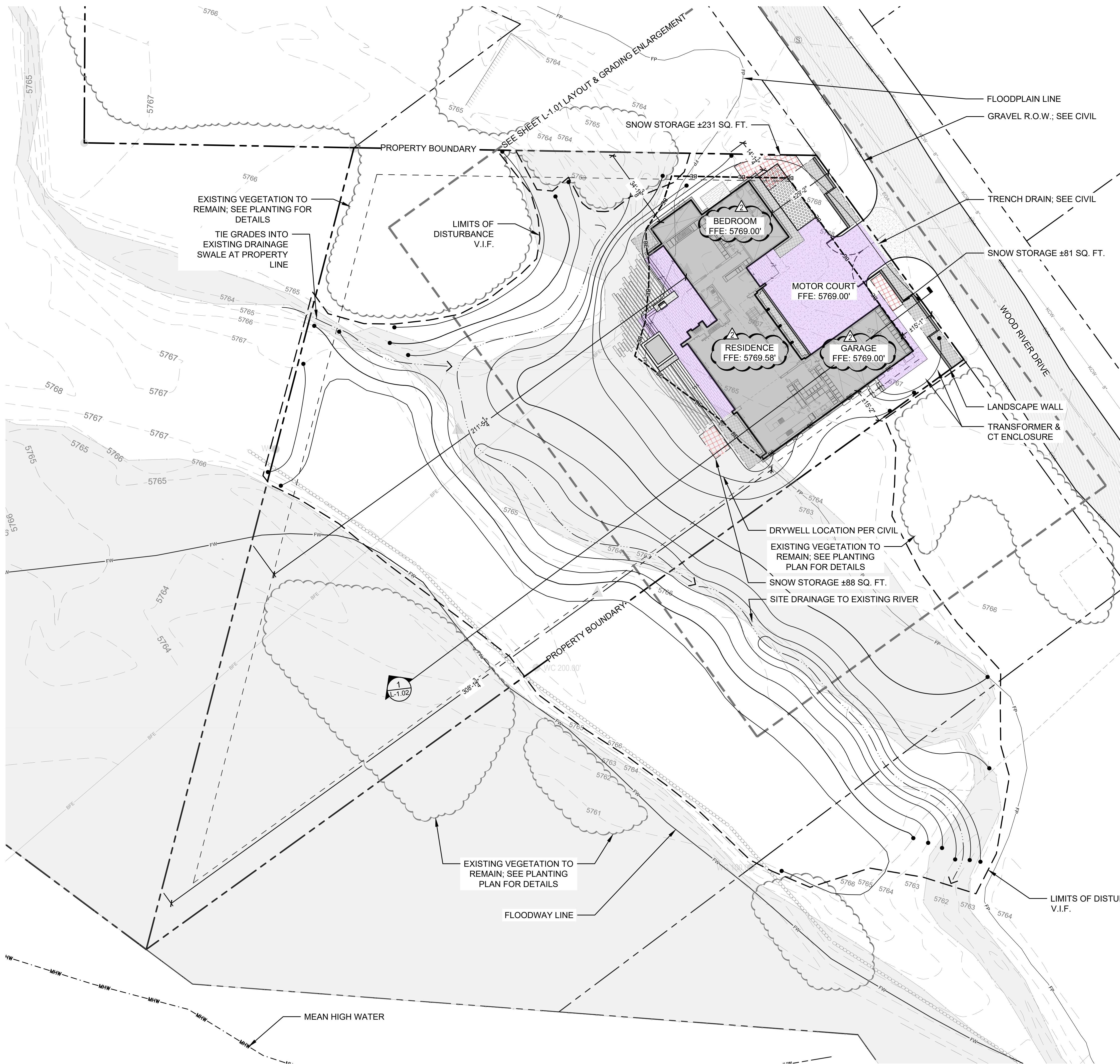
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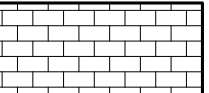
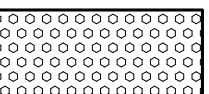
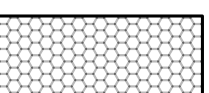
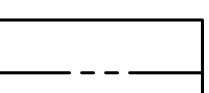
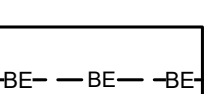
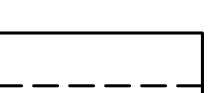

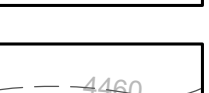
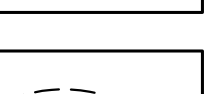

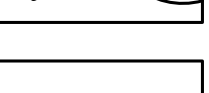


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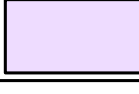
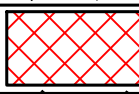
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**LEGEND**

-  CONCRETE, ±2,353 SF, V.I.F
-  STONE PAVER; ±1,714 SF, V.I.F.
-  PAVERS WITH PLANTED JOINTS; ±260 SF, V.I.F.
-  12" HORIZONTAL CRUSHED AGGREGATE
-  PROPERTY BOUNDARY
-  BUILDING ENVELOPE
-  LIMITS OF DISTURBANCE
-  VEGETATION TO REMAIN
-  EXISTING CONTOURS
-  SWALE
-  PROPOSED CONTOUR
-  LANDSCAPE WALL
-  PLANTING AREA; SEE PLANTING PLANS
-  JURISDICTIONAL WETLAND; ±98,465 SF SEE ARMY CORP JOINT APPLICATION TO RESTORATION PLAN

SNOW STORAGE CALCULATIONS	
SNOW STORAGE PROVIDED (AS PERCENTAGE OF DRIVEWAY/PEDESTRIAN AREA)	30.00%
DRIVEWAY & PEDESTRIAN AREA	±4,067 SQ. FT.
 SNOWMELT AREA	±2,840 SQ. FT.
NON-SNOWMELT AREA	±1,226 SQ. FT.
SNOW STORAGE REQUIRED	±368 SQ. FT.
 SNOW STORAGE PROVIDED - SEE DIMENSIONS ON L-1.01	±400 SQ. FT.

THESE CALCULATIONS ARE IN COMPLIANCE WITH CITY OF KETCHUM CODE



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PROJECT NUMBER: 2219

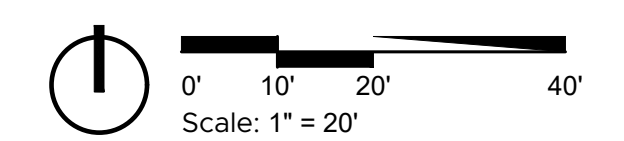
450 WOOD RIVER DRIVE  
KETCHUM, ID

DATE	ISSUE
2023.11.29	FDP SET
2024.02.14	FDP REV.
2024.04.15	FDP REV.

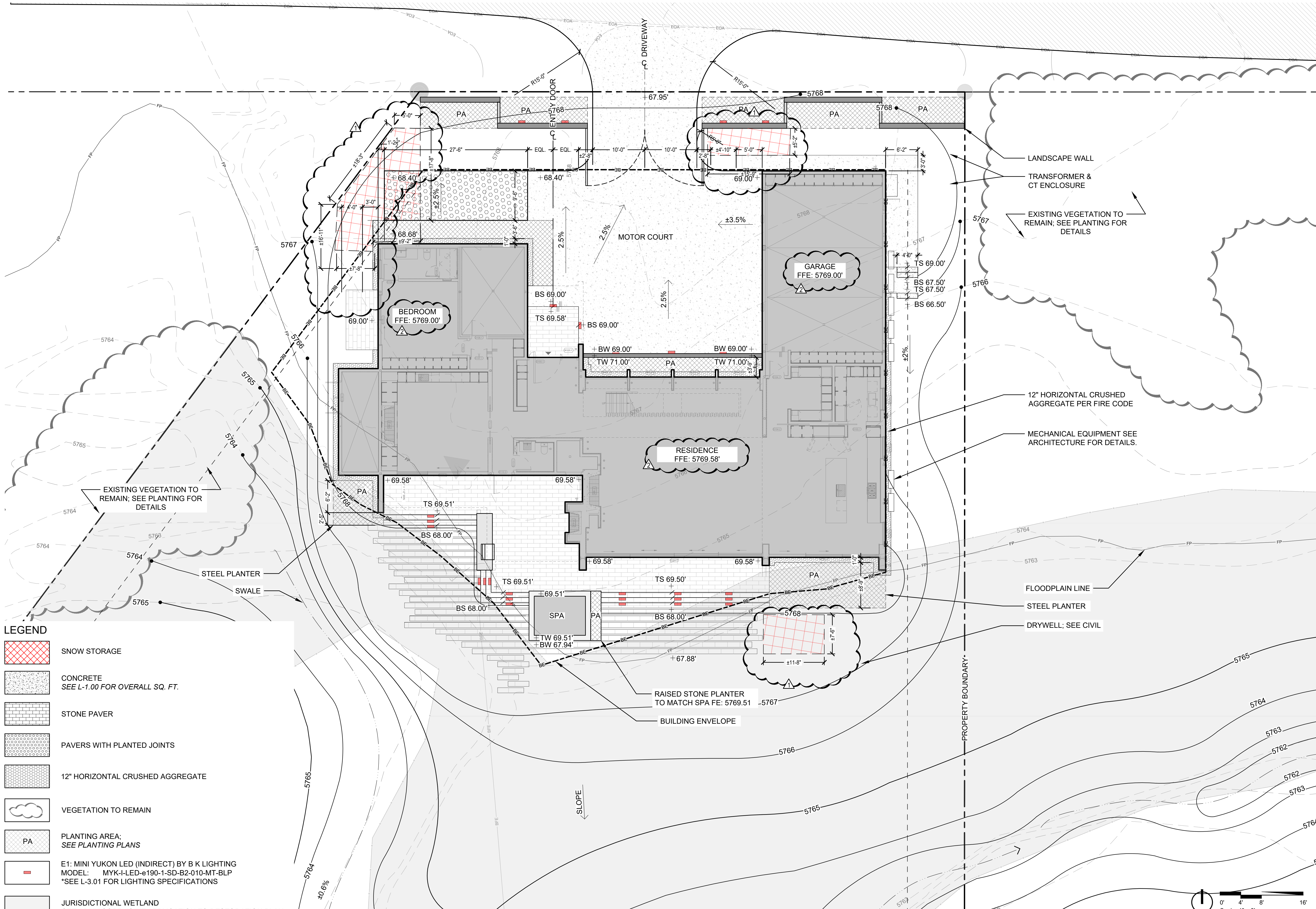
SHEET TITLE

OVERALL MATERIALS & GRADING



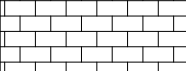

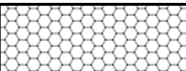


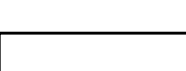

SHEET 1 OF 6  
**L-1.00**



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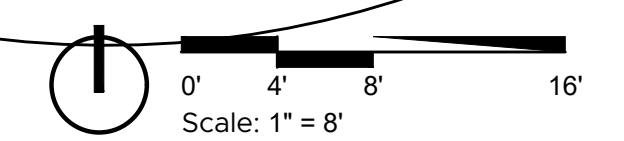
**LEGEND**

-  SNOW STORAGE
-  CONCRETE  
SEE L-1.00 FOR OVERALL SQ. FT.
-  STONE PAVER
-  PAVERS WITH PLANTED JOINTS
-  12" HORIZONTAL CRUSHED AGGREGATE
-  VEGETATION TO REMAIN
-  PLANTING AREA;  
SEE PLANTING PLANS
-  E1: MINI YUKON LED (INDIRECT) BY B K LIGHTING  
MODEL: MYK-I-LED-e190-1-SD-B2-010-MT-BLP  
\*SEE L-3.01 FOR LIGHTING SPECIFICATIONS
-  JURISDICTIONAL WETLAND  
SEE ARMY CORP JOINT APPLICATION TO RESTORATION PLAN

DATE	ISSUE
2023.11.29	FDP SET
2024.02.14	FDP REV.
2024.04.15	FDP REV.

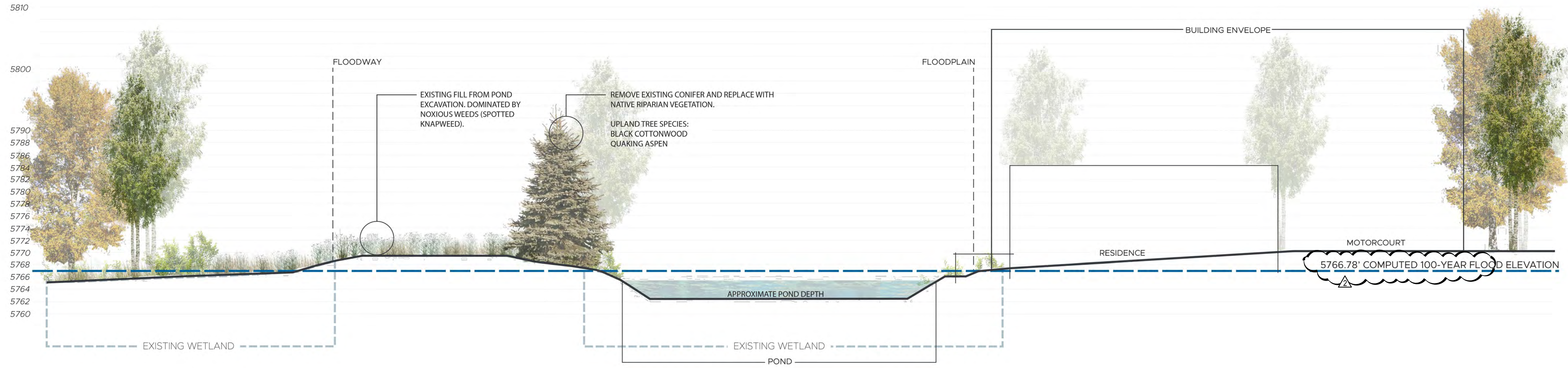
SHEET TITLE

**LAYOUT & GRADING ENLARGEMENT**

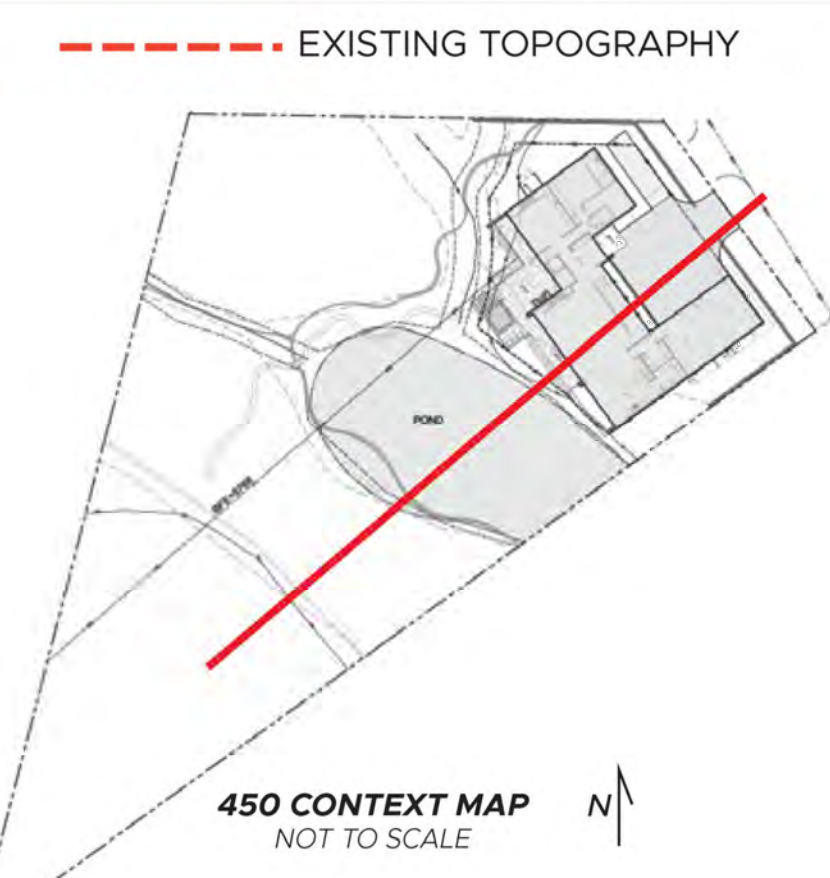
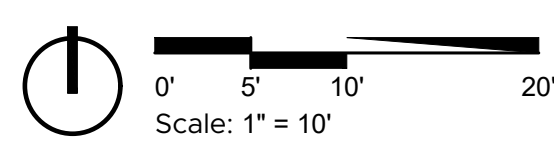
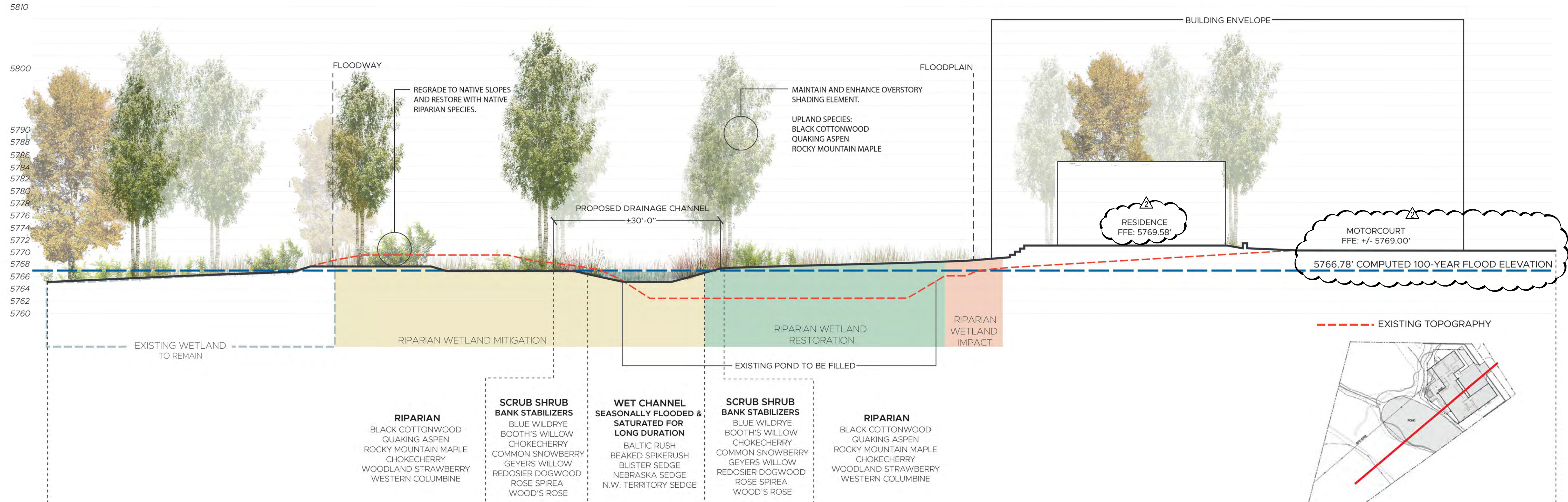




**EXISTING CONDITIONS**



**PROPOSED CONDITIONS**



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PROJECT NUMBER: 2219

450 WOOD RIVER DRIVE  
KETCHUM, ID

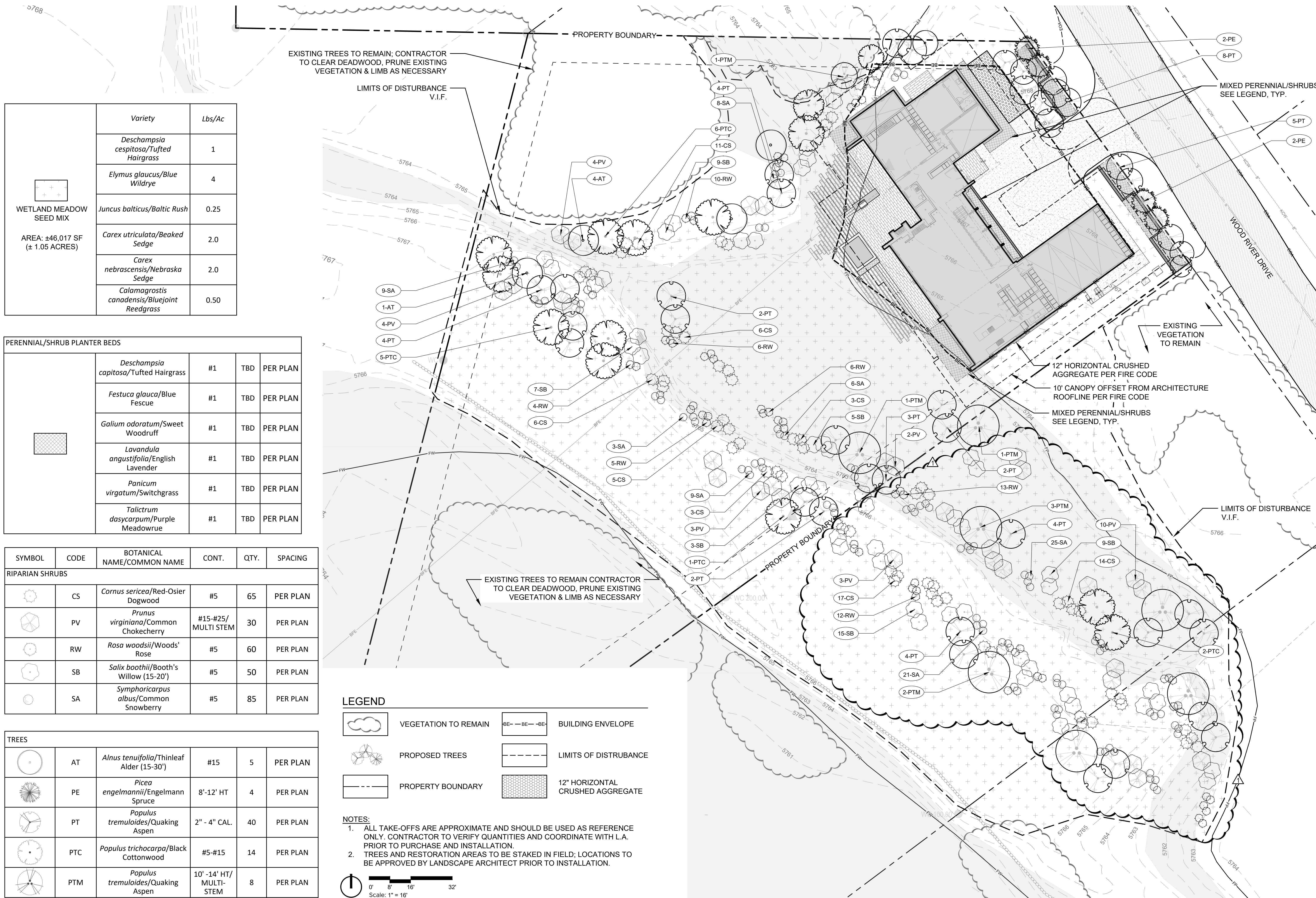
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2024.04.15	FDP REV.


SHEET TITLE

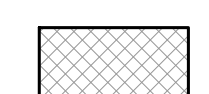
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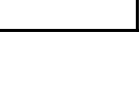
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**L-1.02**






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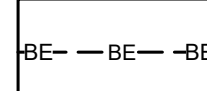

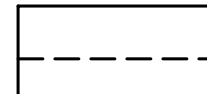
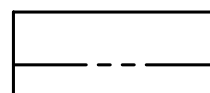
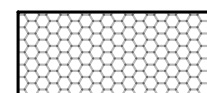
	Variety	Lbs/Ac
 <b>WETLAND MEADOW SEED MIX</b> AREA: ±46,017 SF (± 1.05 ACRES)	<i>Deschampsia cespitosa</i> /Tufted Hairgrass	1
	<i>Elymus glaucus</i> /Blue Wildrye	4
	<i>Juncus balticus</i> /Baltic Rush	0.25
	<i>Carex utriculata</i> /Beaked Sedge	2.0
	<i>Carex nebrascensis</i> /Nebraska Sedge	2.0
	<i>Calamagrostis canadensis</i> /Bluejoint Reedgrass	0.50

PERENNIAL/SHRUB PLANTER BEDS				
	<i>Deschampsia caputosa</i> /Tufted Hairgrass	#1	TBD	PER PLAN
	<i>Festuca glauca</i> /Blue Fescue	#1	TBD	PER PLAN
	<i>Galium odoratum</i> /Sweet Woodruff	#1	TBD	PER PLAN
	<i>Lavandula angustifolia</i> /English Lavender	#1	TBD	PER PLAN
	<i>Panicum virgatum</i> /Switchgrass	#1	TBD	PER PLAN
	<i>Talictum dasycarpum</i> /Purple Meadowrue	#1	TBD	PER PLAN

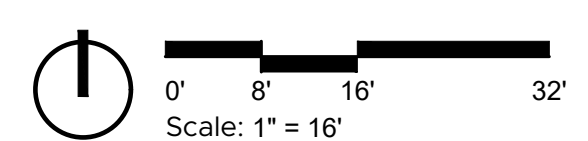
SYMBOL	CODE	BOTANICAL NAME/COMMON NAME	CONT.	QTY.	SPACING
<b>RIPARIAN SHRUBS</b>					
	CS	<i>Cornus sericea</i> /Red-Osier Dogwood	#5	65	PER PLAN
	PV	<i>Prunus virginiana</i> /Common Chokecherry	#15-#25/ MULTI STEM	30	PER PLAN
	RW	<i>Rosa woodsii</i> /Woods' Rose	#5	60	PER PLAN
	SB	<i>Salix boothii</i> /Booth's Willow (15-20')	#5	50	PER PLAN
	SA	<i>Symphoricarpus albus</i> /Common Snowberry	#5	85	PER PLAN

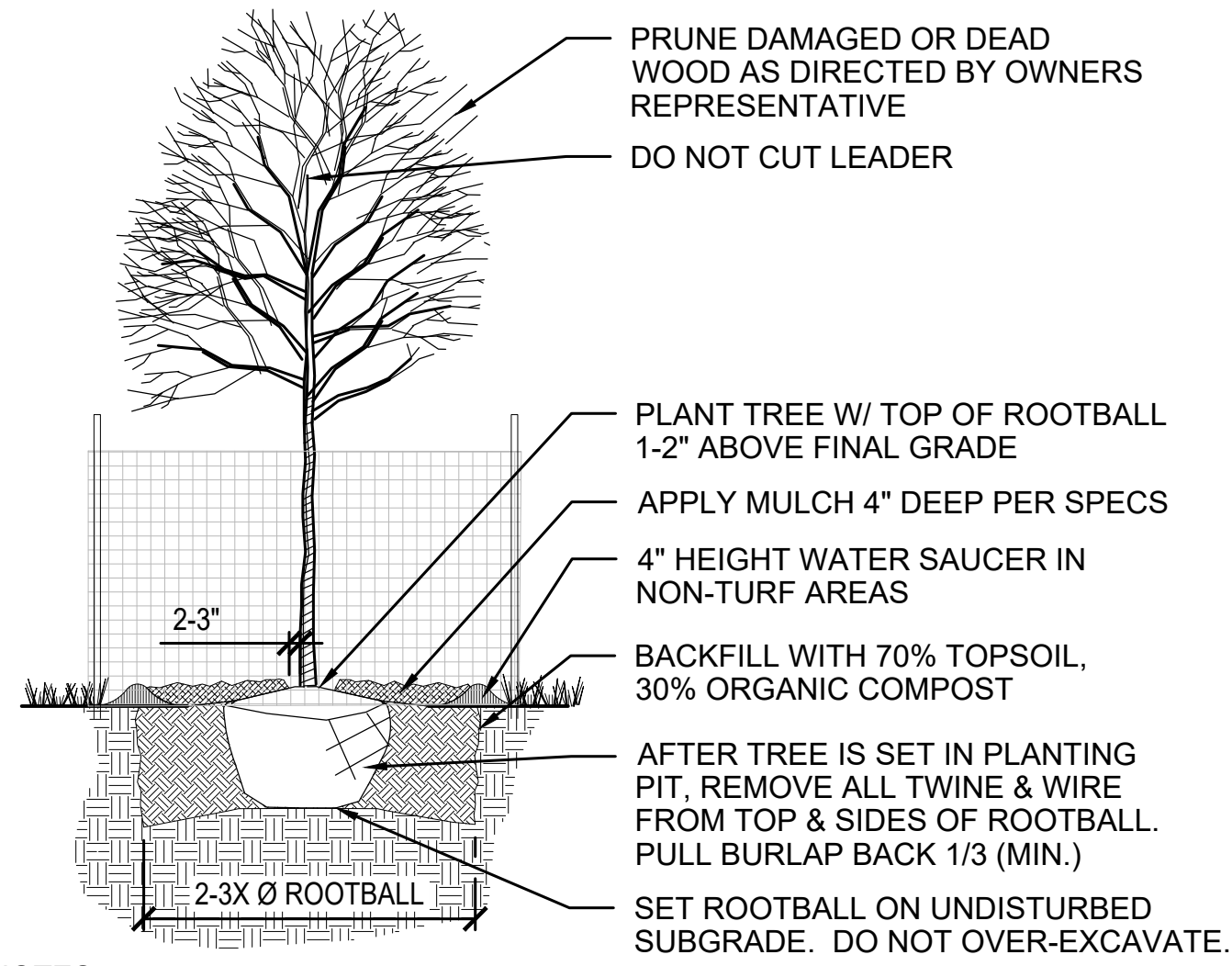
<b>TREES</b>					
	AT	<i>Alnus tenuifolia</i> /Thinleaf Alder (15-30')	#15	5	PER PLAN
	PE	<i>Picea engelmannii</i> /Engelmann Spruce	8'-12' HT	4	PER PLAN
	PT	<i>Populus tremuloides</i> /Quaking Aspen	2" - 4" CAL.	40	PER PLAN
	PTC	<i>Populus trichocarpa</i> /Black Cottonwood	#5-#15	14	PER PLAN
	PTM	<i>Populus tremuloides</i> /Quaking Aspen	10' - 14' HT/ MULTI-STEM	8	PER PLAN

**LEGEND**

	VEGETATION TO REMAIN		BUILDING ENVELOPE
	PROPOSED TREES		LIMITS OF DISTURBANCE
	PROPERTY BOUNDARY		12" HORIZONTAL CRUSHED AGGREGATE

- NOTES:**
- ALL TAKE-OFFS ARE APPROXIMATE AND SHOULD BE USED AS REFERENCE ONLY. CONTRACTOR TO VERIFY QUANTITIES AND COORDINATE WITH L.A. PRIOR TO PURCHASE AND INSTALLATION.
  - TREES AND RESTORATION AREAS TO BE STAKED IN FIELD; LOCATIONS TO BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

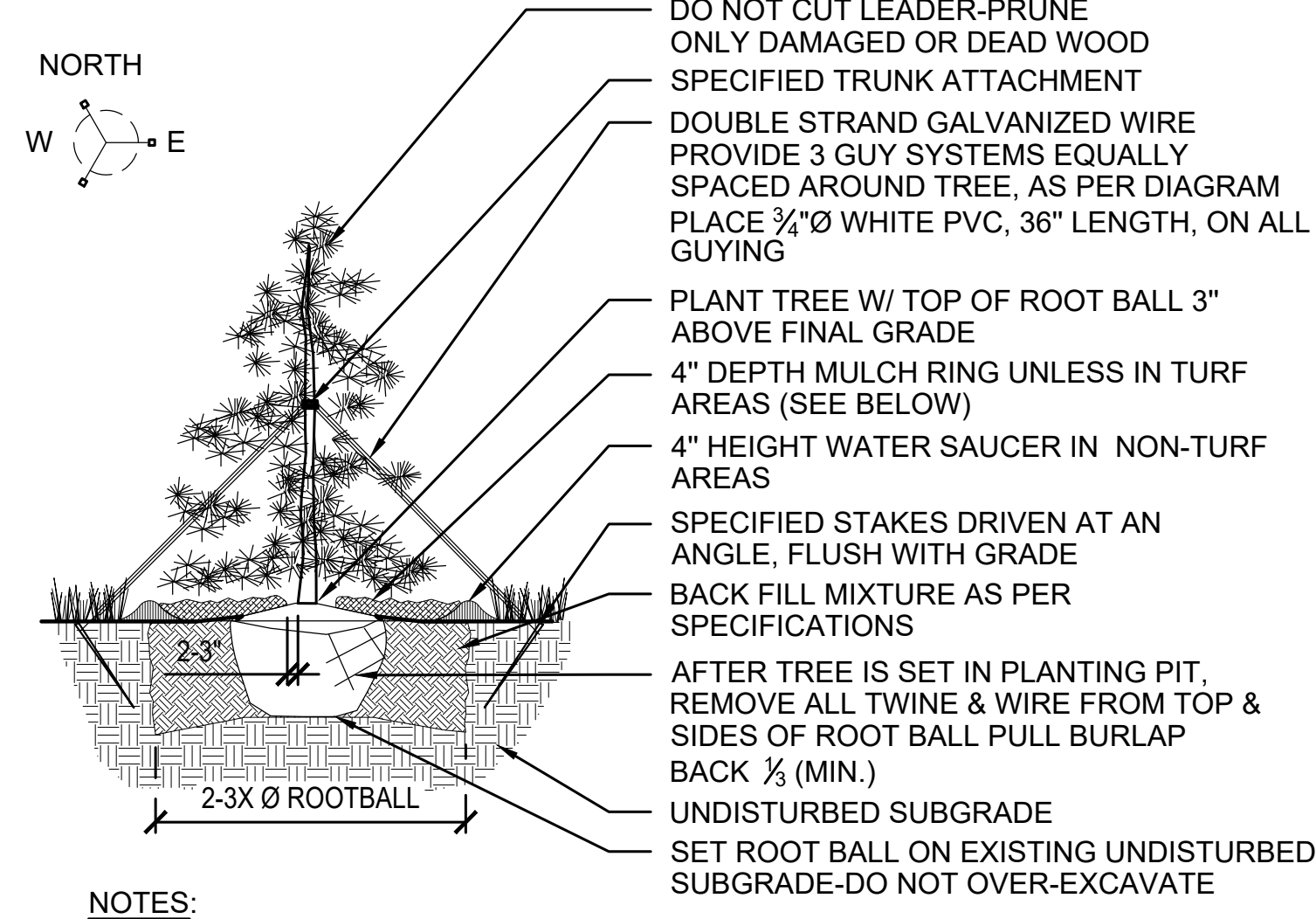




- NOTES:
- MULCH SHOULD BE 4" DEEP.
  - ALL TREES 3" DIAMETER OR LARGER MAY BE STAKED FOR ONE YEAR IF PROPOSED BY LANDSCAPE CONTRACTOR AND/OR APPROVED BY OWNER'S REPRESENTATIVE.

1 DECIDUOUS TREE PLANTING

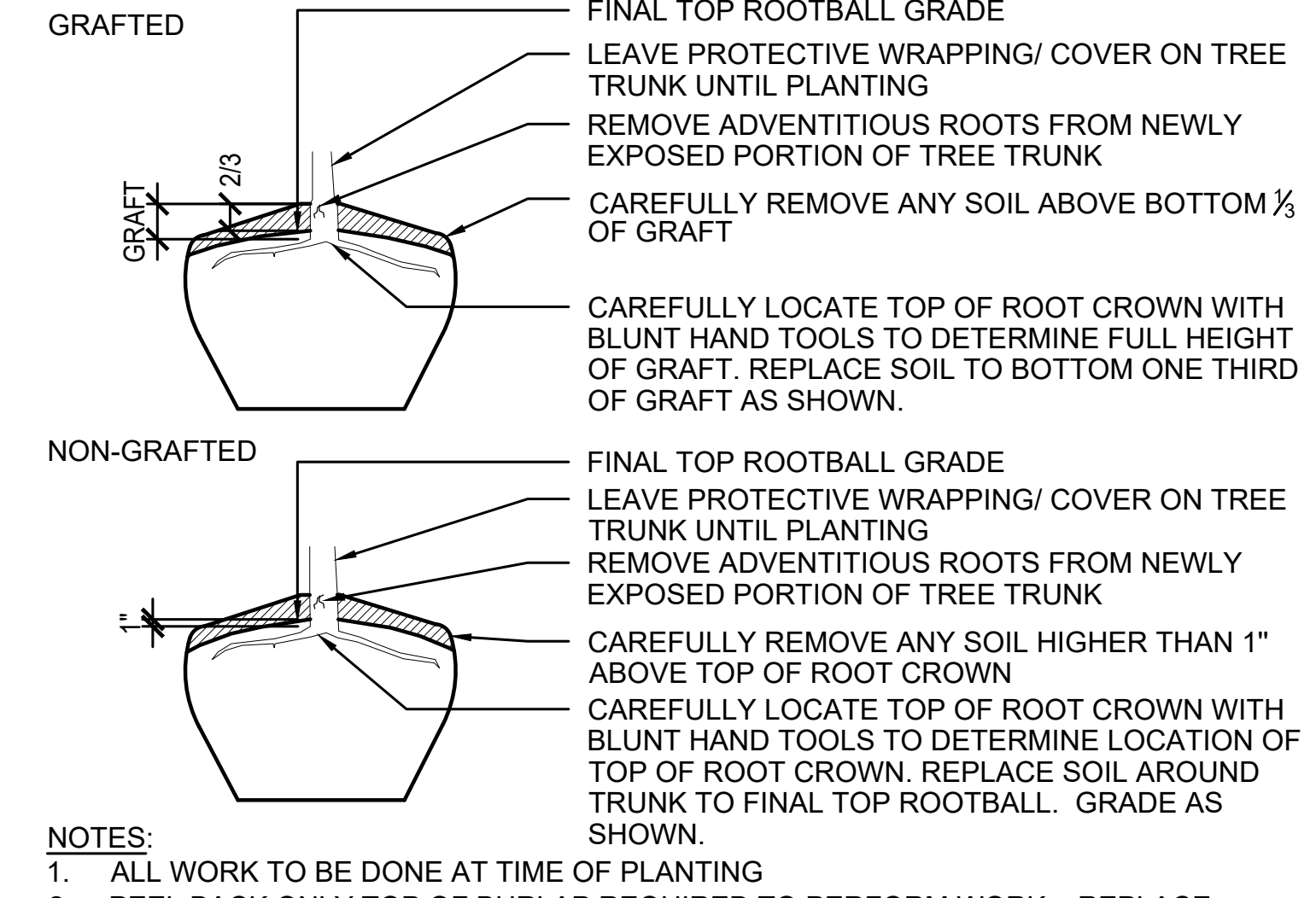
SCALE: 1/4" = 1'-0"



- NOTES:
- PULL MULCH BACK 2" TO 3" FROM TRUNK OF TREE
  - INSTALL SPECIFIED MULCH TO DRIP LINE OF TREE WHERE PLANTED IN LAWN AREAS. MULCH TO BE 2" DEEP IN LAWN AREAS.
  - DO NOT PROVIDE WATER BASIN IN IRRIGATED LAWN AREAS.

2 EVERGREEN TREE PLANTING

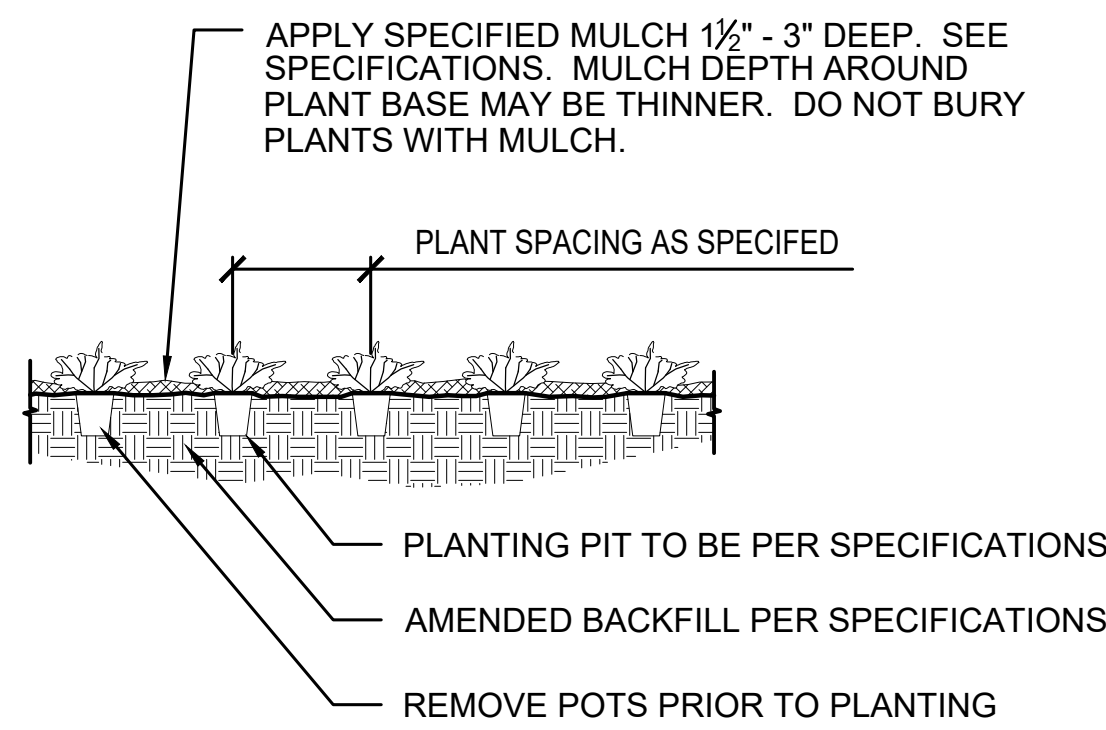
SCALE: 1/4" = 1'-0"



- NOTES:
- ALL WORK TO BE DONE AT TIME OF PLANTING
  - PEEL BACK ONLY TOP OF BURLAP REQUIRED TO PERFORM WORK. REPLACE BURLAP BEFORE MOVING TREE INTO PLANTING PIT. DO NOT REMOVE WIRE BASKET UNTIL INSIDE PLANTING PIT.
  - MEASURE NEW HEIGHT OF ROOTBALL AND DIG PLANTING PIT SO FINAL TOP ROOTBALL GRADE IS 3" ABOVE FINAL GRADE SURROUNDING BALL.

3 FINAL TOP OF ROOTBALL GRADE

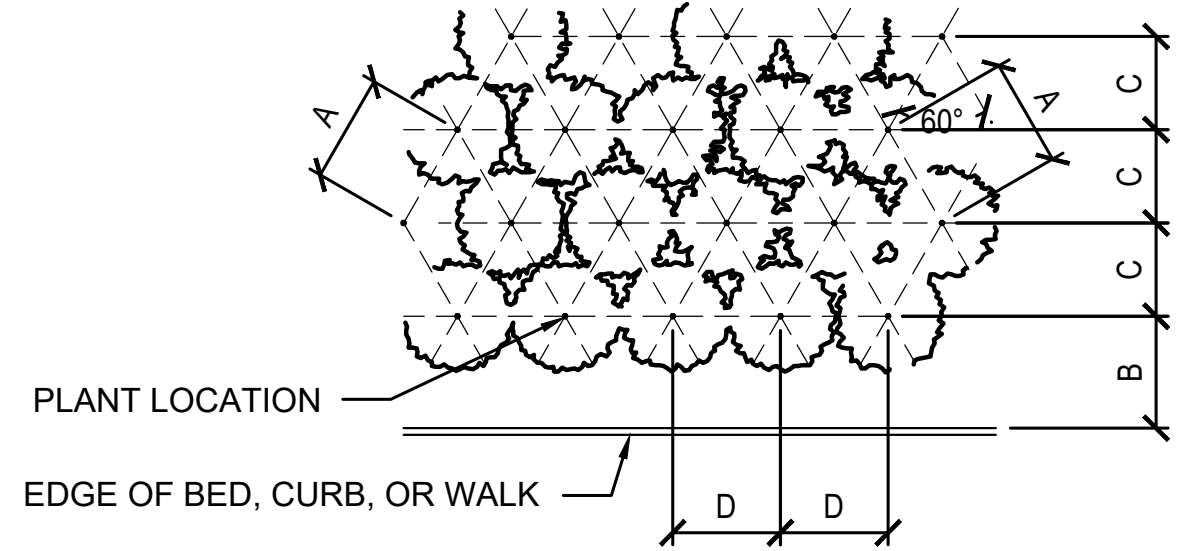
SCALE: 1/2" = 1'-0"



4 PERENNIALS AND GROUNDCOVERS

SCALE: 1/4" = 1'-0"

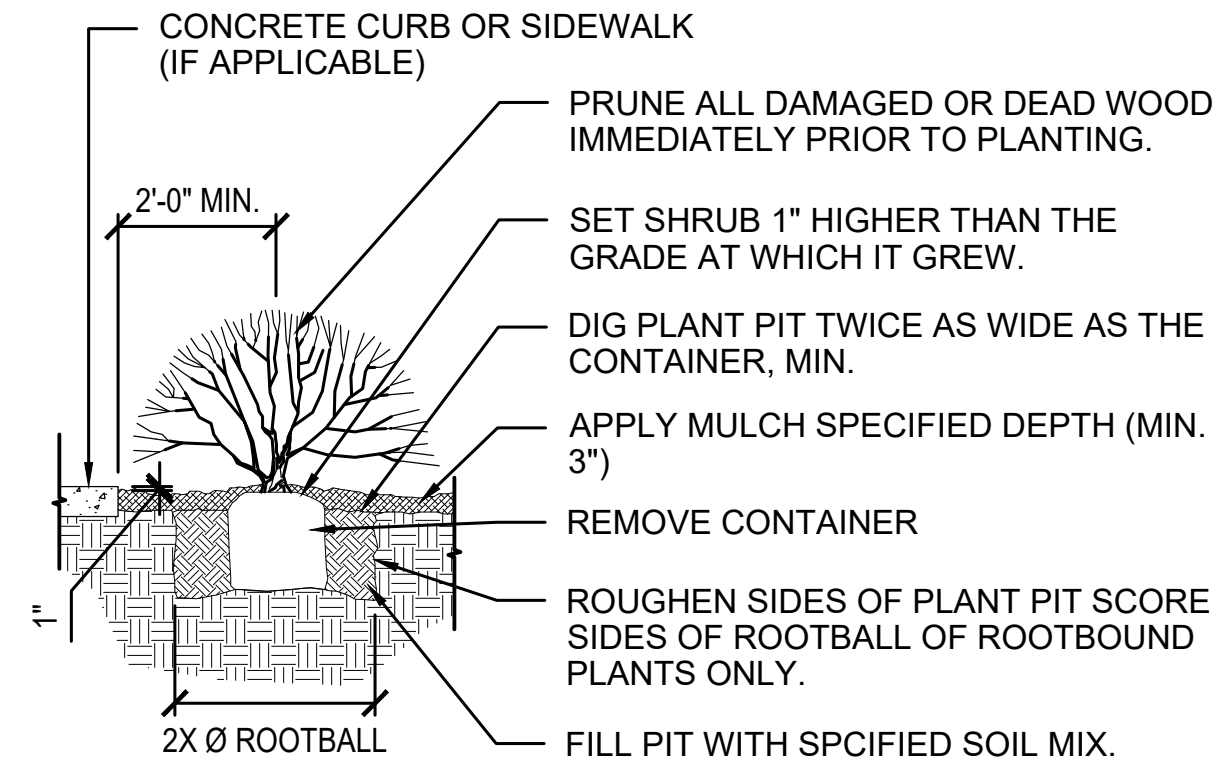
PLANT SPACING	A	B	C	D
6"	6"	6"	5"	6"
8"	8"	6"	7"	8"
12"	12"	8"	10"	12"
18"	18"	9"	15 1/2"	18"
24"	24"	18"	21"	24"
30"	30"	15"	26"	30"
36"	36"	30"	31"	36"
48"	48"	30"	42"	48"
60"	60"	36"	52"	60"



- NOTES:
- ALIGN FRONT ROW PARALLEL TO BED LINE

7 TRIANGULAR SPACING FOR PLANTING LAYOUT

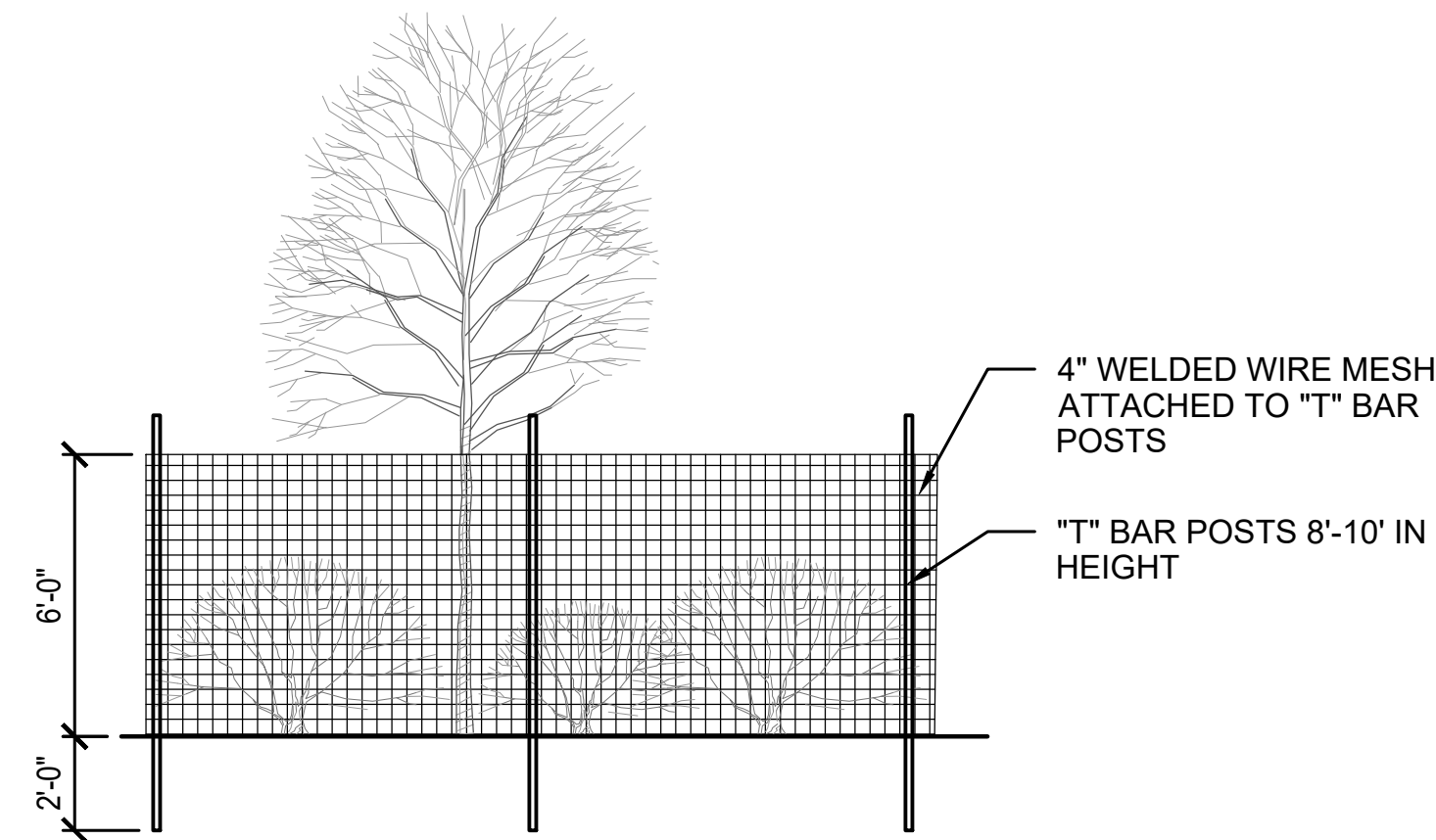
SCALE: 1/4" = 1'-0"



- NOTES:
- ANY BROKEN OR CRUMBLING ROOTBALLS WILL BE REJECTED.
  - REMOVING THE CONTAINERS WILL NOT BE AN EXCUSE FOR DAMAGED ROOTBALLS.
  - HOLD GRADE 1" BELOW EDGE OF WALK OR CURB

5 SHRUB PLANTING

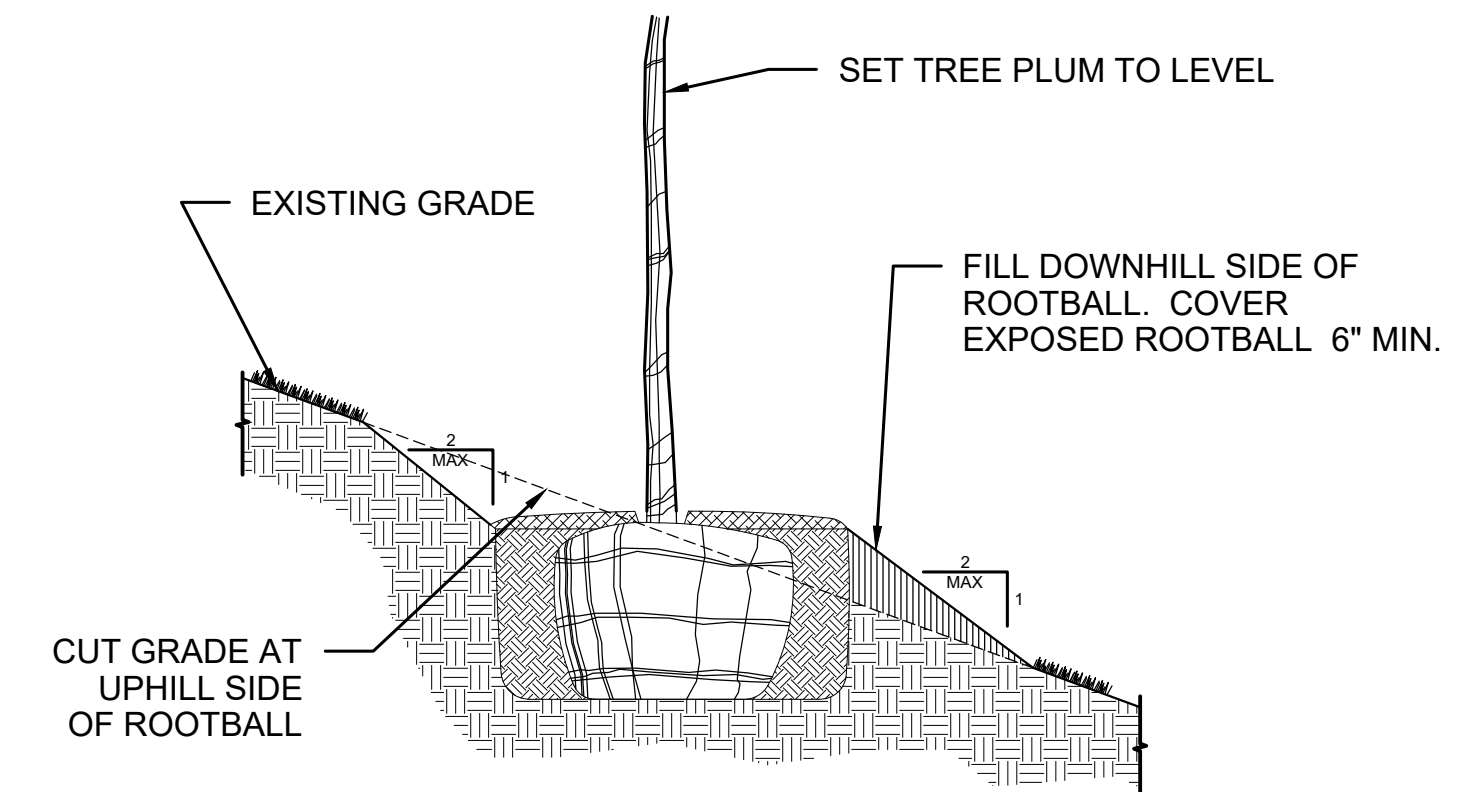
SCALE: 1/4" = 1'-0"



- NOTES:
- FINAL DESIGN AND LOCATION TO BE COORDINATED AND APPROVED IN FIELD BY LANDSCAPE ARCHITECT
  - "T" BAR POSTS TO BE SPACED APPROPRIATELY TO ENSURE INTEGRITY OF FENCE.
  - ALL TREES 2" DIAMETER OR LARGER MAY BE STAKED FOR ONE YEAR

8 WILDLIFE PROTECTION FENCING

SCALE: 1/4" = 1'-0"



- NOTES:
- REFER TO VARIOUS SPECIFIC TREE INSTALLATION DETAILS FOR STAKING, GUYING, MULCHING, ETC.
  - THIS INSTALLATION SHALL APPLY TO ALL TREE TYPES AND SIZES PLANTED ON SLOPES LESS THAN 2:1.

6 TREE PLANTING ON SLOPE

SCALE: 1/4" = 1'-0"

DATE	ISSUE
2023.11.29	FDP SET
2024.02.14	FDP REV.
2024.04.15	FDP REV.
---	---
---	---

### 450 WOOD RIVER

OWNER:

450-490 WOOD RIVER, LLC  
ATTN: MATT SCOGGINS  
P.O. BOX 14001-174  
KETCHUM, ID 83340

PROJECT ARCHITECT:

RO | ROCKETT DESIGN  
1031 W. MANCHESTER BLVD. UNIT 6  
INGLEWOOD, CA 90301  
TEL: 213.784.0014

CONTRACTOR:

GEOTECHNICAL ENGINEER:

BUTLER ASSOCIATES, INC.  
P.O. BOX 1034  
KETCHUM, ID 83340  
TEL: 208.720.6432

CIVIL ENGINEER:

BENCHMARK ASSOCIATES  
100 BELL DRIVE  
KETCHUM, ID 83340  
TEL: 208.726.9512

LANDSCAPE ARCHITECT:

FIELD STUDIO LANDSCAPE ARCHITECTS  
722 N. ROUSE AVENUE  
BOZEMAN, MT 59715  
TEL: 406.551.2098

STRUCTURAL ENGINEER:

LABIB FUNK & ASSOCIATES  
319 MAIN STREET  
EL SEGUNDO, CA 90245  
TEL: 213.239.9700

MEP ENGINEER:

CONSULTING ENGINEERING SERVICES (CES)  
1001 W OAK BLDG  
BOZEMAN, MT 59715  
TEL: 406.272.0352

LIGHTING:

KGM ARCHITECTURAL LIGHTING  
270 CORAL CIRCLE  
EL SEGUNDO, CA 90245  
TEL: 310.552.2191

AV:

AUDIO VIDEO SYSTEMS, INC.  
2700 HOMESTEAD RD  
PARK CITY, UT 84098  
TEL: 801.649.5200

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SEAL: LICENSED ARCHITECT AR 987568



1	04.16.2024	FDP APP RESUBMITTAL
	12.13.2023	FDP APPLICATION
NO	DATE	ISSUE

PROJECT:

**450 WOOD RIVER**  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

PROJECT NUMBER

**2108**

DRAWING TITLE:

**SITE PLAN**

DRAWING NUMBER:

**A-000**

NOT FOR CONSTRUCTION

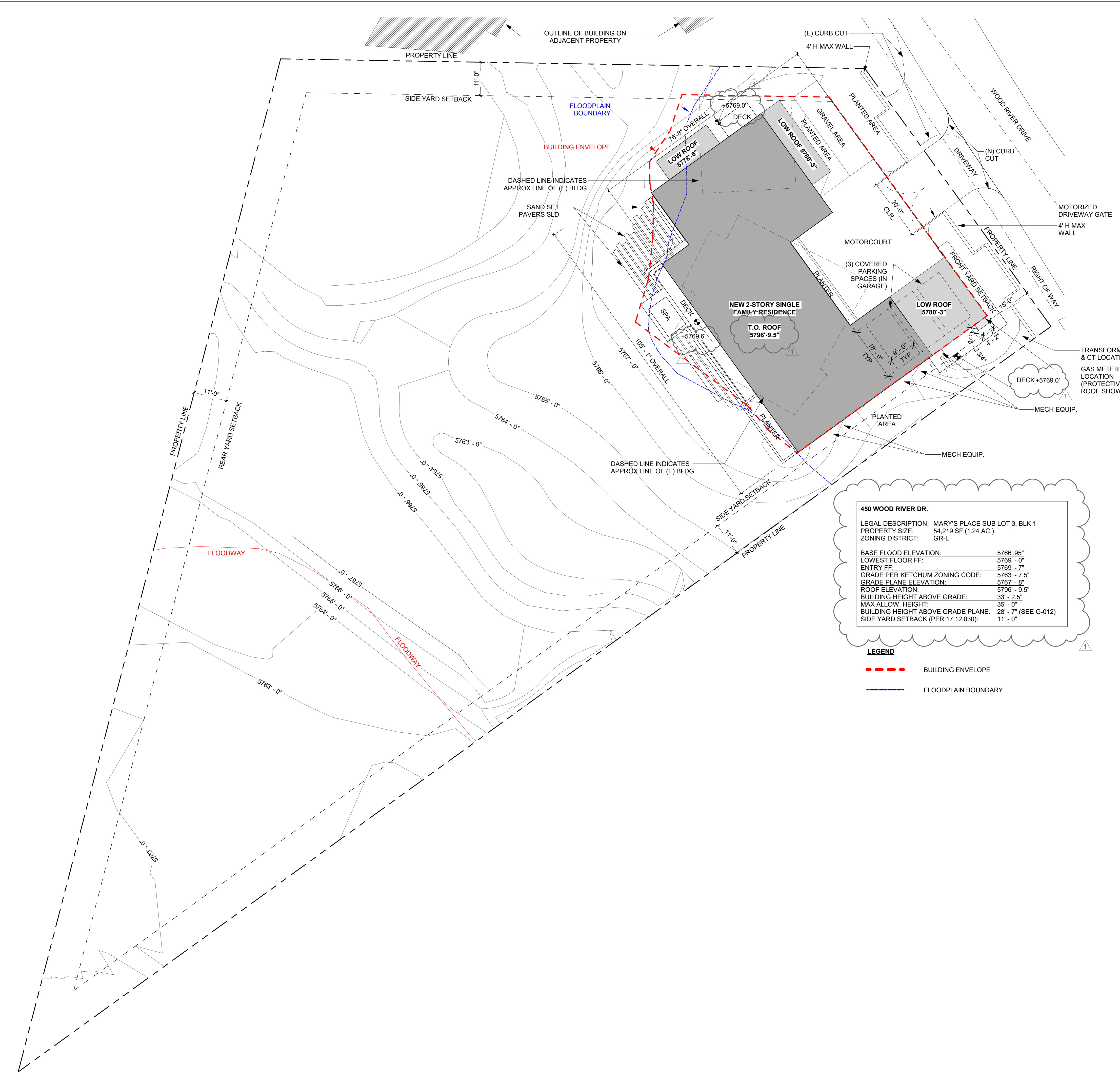
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**450 WOOD RIVER DR.**

LEGAL DESCRIPTION: MARY'S PLACE SUB LOT 3, BLK 1  
PROPERTY SIZE: 54,219 SF (1.24 AC.)  
ZONING DISTRICT: GR-L

BASE FLOOD ELEVATION:	5766'-95"
LOWEST FLOOR FF:	5769'-0"
ENTRY FF:	5769'-7"
GRADE PER KETCHUM ZONING CODE:	5763'-7.5"
GRADE PLANE ELEVATION:	5767'-8"
ROOF ELEVATION:	5796'-9.5"
BUILDING HEIGHT ABOVE GRADE:	33'-2.5"
MAX ALLOW. HEIGHT:	35'-0"
BUILDING HEIGHT ABOVE GRADE PLANE:	28'-7" (SEE G-012)
SIDE YARD SETBACK (PER 17.12.030):	11'-0"

- LEGEND**
- BUILDING ENVELOPE
  - FLOODPLAIN BOUNDARY



**SITE PLAN NOTES:**

1. SEE LANDSCAPE PLAN FOR (E) AND (N) TREE LOCATIONS
2. SEE CIVIL DRAWINGS FOR DRIVEWAY LAYOUT, PROFILE & SITE DRAINAGE INFORMATION
3. SEE ROOF PLAN FOR MORE ROOF INFORMATION
4. SEE G-010 & G-011 FOR SITE COVERAGE AND HEIGHT CALCULATIONS
5. SEE G-013 FOR TRPA SCENIC ANALYSIS
6. LAKE PIER UNDER SEPARATE PERMIT, SHOWN FOR REFERENCE ONLY
7. ALL MATERIALS TO BE NON-GLARE FINISH.
8. SEE GENERAL CONTRACTOR STAGING PLAN FOR ALL STAGING INFORMATION.
9. PER DEED RESTRICTION, THE TOTAL COVERAGE FOR ALL THREE PARCELS CANNOT EXCEED 5,091 SF OF BASE ALLOWABLE IPES COVERAGE.
10. PER WASHOE COUNTY 438.45 ALL RETAINING WALLS WITHIN THE FRONT YARD SET BACK LIMITED TO 4.5', ALL RETAINING WALLS WITHIN THE SIDEYARD SETBACK LIMITED TO 6', CONTACT ARCH FOR ANY ON-SITE DISCREPANCIES.
11. AN EXCAVATION AND ENCROACHMENT PERMIT IS REQUIRED PRIOR TO ANY IMPROVEMENTS IN THE COUNTY RIGHT-OF-WAY, PERMIT MUST BE OBTAIN BY COUNTY APPROVED CONTRACTOR.

Tue 04/16/24 9:17:36 AM

# 450 WOOD RIVER

OWNER:  
**450-490 WOOD RIVER, LLC**  
ATTN: FRAZIER CAVNESS  
P.O. BOX 14001-174  
KETCHUM, ID 83340

PROJECT ARCHITECT:  
**RO | ROCKETT DESIGN**  
1031 W. MANCHESTER BLVD. UNIT 6  
INGLEWOOD, CA 90301  
TEL: 213.784.0014

CONTRACTOR:

GEOTECHNICAL ENGINEER:  
**BUTLER ASSOCIATES, INC.**  
P.O. BOX 1034  
KETCHUM, ID 83340  
TEL: 208.720.6432

CIVIL ENGINEER:  
**BENCHMARK ASSOCIATES**  
100 BELL DRIVE  
KETCHUM, ID 83340  
TEL: 208.726.9512

LANDSCAPE ARCHITECT:  
**FIELD STUDIO LANDSCAPE ARCHITECTS**  
722 N. ROUSE AVENUE  
BOZEMAN, MT 59715  
TEL: 406.551.2098

STRUCTURAL ENGINEER:  
**LABIB FUNK & ASSOCIATES**  
319 MAIN STREET  
EL SEGUNDO, CA 90245  
TEL: 213.239.9700

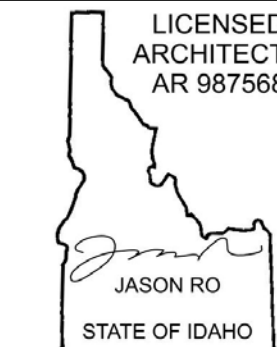
MEP ENGINEER:  
**CONSULTING ENGINEERING SERVICES (CES)**  
1001 W OAK BLDG  
BOZEMAN, MT 59715  
TEL: 406.272.0352

LIGHTING:  
**KGM ARCHITECTURAL LIGHTING**  
270 CORAL CIRCLE  
EL SEGUNDO, CA 90245  
TEL: 310.552.2191

AV:  
**AUDIO VIDEO SYSTEMS, INC.**  
2700 HOMESTEAD RD  
PARK CITY, UT 84098  
TEL: 801.649.5200

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SEAL: **LICENSED ARCHITECT**  
AR 987568  


1 04.16.2024 FDP APP RESUBMITTAL  
NO DATE ISSUE

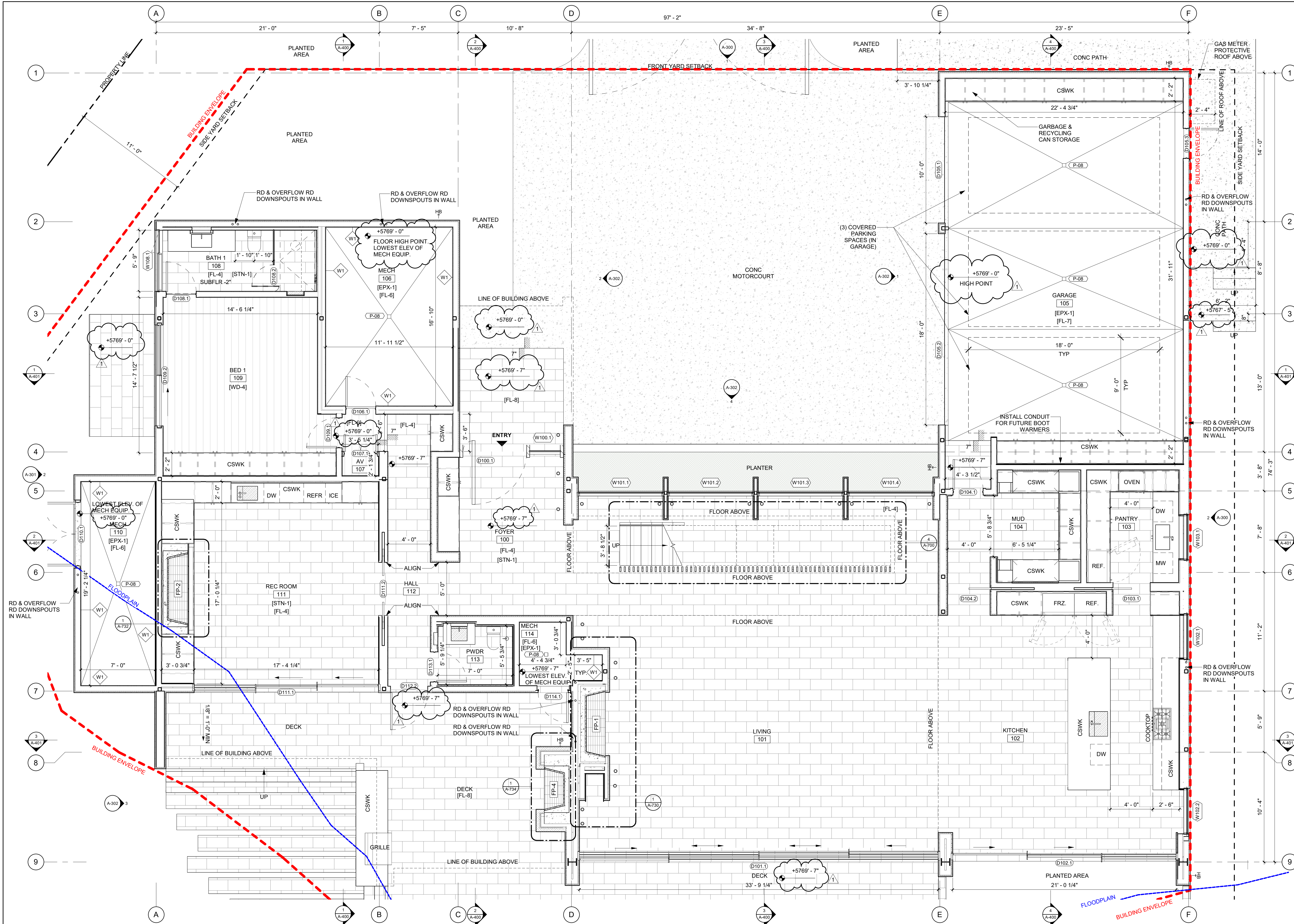
PROJECT:  
**450 WOOD RIVER**  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

PROJECT NUMBER:  
**2108**

DRAWING TITLE:  
**FLOOR PLAN / LEVEL 01**

DRAWING NUMBER:  
**A-101**

**NOT FOR CONSTRUCTION**  
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1 1/4" = 1'-0" FLOOR PLAN - LEVEL 01

### FLOOR PLAN NOTES:

- ALL DIMENSIONS TAKEN FROM FINISH FACE, UNO
- SEE FRAMING PLANS FOR FRAMING AND LAYOUT
- SEE STRUCTURAL DRAWINGS FOR EXACT SIZE AND LOCATION OF STRUCTURAL COLUMNS, BEAMS, GIRDERS, ETC.
- SEE G-200 AND G-201 FOR WALL AND FLOOR ASSEMBLIES
- CONTACT ARCHITECT WITH ANY FINISH ALIGNMENT ISSUES
- SEE A-800S ENLARGED FLOOR PLANS AND INTERIOR ELEVATIONS
- SEE G-108 FOR FIREPLACE SCHEDULE.

Tue 04/16/24 9:17:39 AM

# 450 WOOD RIVER

OWNER:

450-490 WOOD RIVER, LLC  
ATTN: FRAZIER CAVNESS  
P.O. BOX 14001-174  
KETCHUM, ID 83340

PROJECT ARCHITECT:

RO | ROCKETT DESIGN  
1031 W. MANCHESTER BLVD. UNIT 6  
INGLEWOOD, CA 90301  
TEL: 213.784.0014

CONTRACTOR:

GEOTECHNICAL ENGINEER:

BUTLER ASSOCIATES, INC.  
P.O. BOX 1034  
KETCHUM, ID 83340  
TEL: 208.720.6432

CIVIL ENGINEER:

BENCHMARK ASSOCIATES  
100 BELL DRIVE  
KETCHUM, ID 83340  
TEL: 208.726.9512

LANDSCAPE ARCHITECT:

FIELD STUDIO LANDSCAPE ARCHITECTS  
722 N. ROUSE AVENUE  
BOZEMAN, MT 59715  
TEL: 406.551.2098

STRUCTURAL ENGINEER:

LABIB FUNK & ASSOCIATES  
319 MAIN STREET  
EL SEGUNDO, CA 90245  
TEL: 213.239.9700

MEP ENGINEER:

CONSULTING ENGINEERING SERVICES (CES)  
1001 W OAK BLDG  
BOZEMAN, MT 59715  
TEL: 406.272.0352

LIGHTING:

KGM ARCHITECTURAL LIGHTING  
270 CORAL CIRCLE  
EL SEGUNDO, CA 90245  
TEL: 310.552.2191

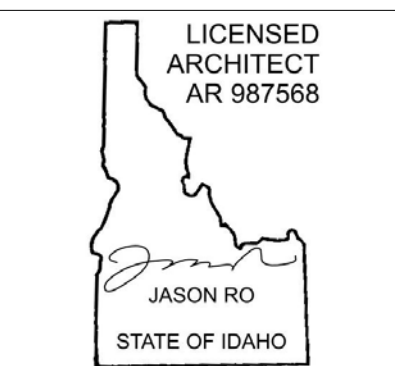
AV:

AUDIO VIDEO SYSTEMS, INC.  
2700 HOMESTEAD RD  
PARK CITY, UT 84098  
TEL: 801.649.5200

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SEAL:



1	04.16.2024	FDP APP RESUBMITTAL
	12.13.2023	FDP APPLICATION
NO	DATE	ISSUE

PROJECT:

**450 WOOD RIVER**  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

PROJECT NUMBER

**2108**

DRAWING TITLE:

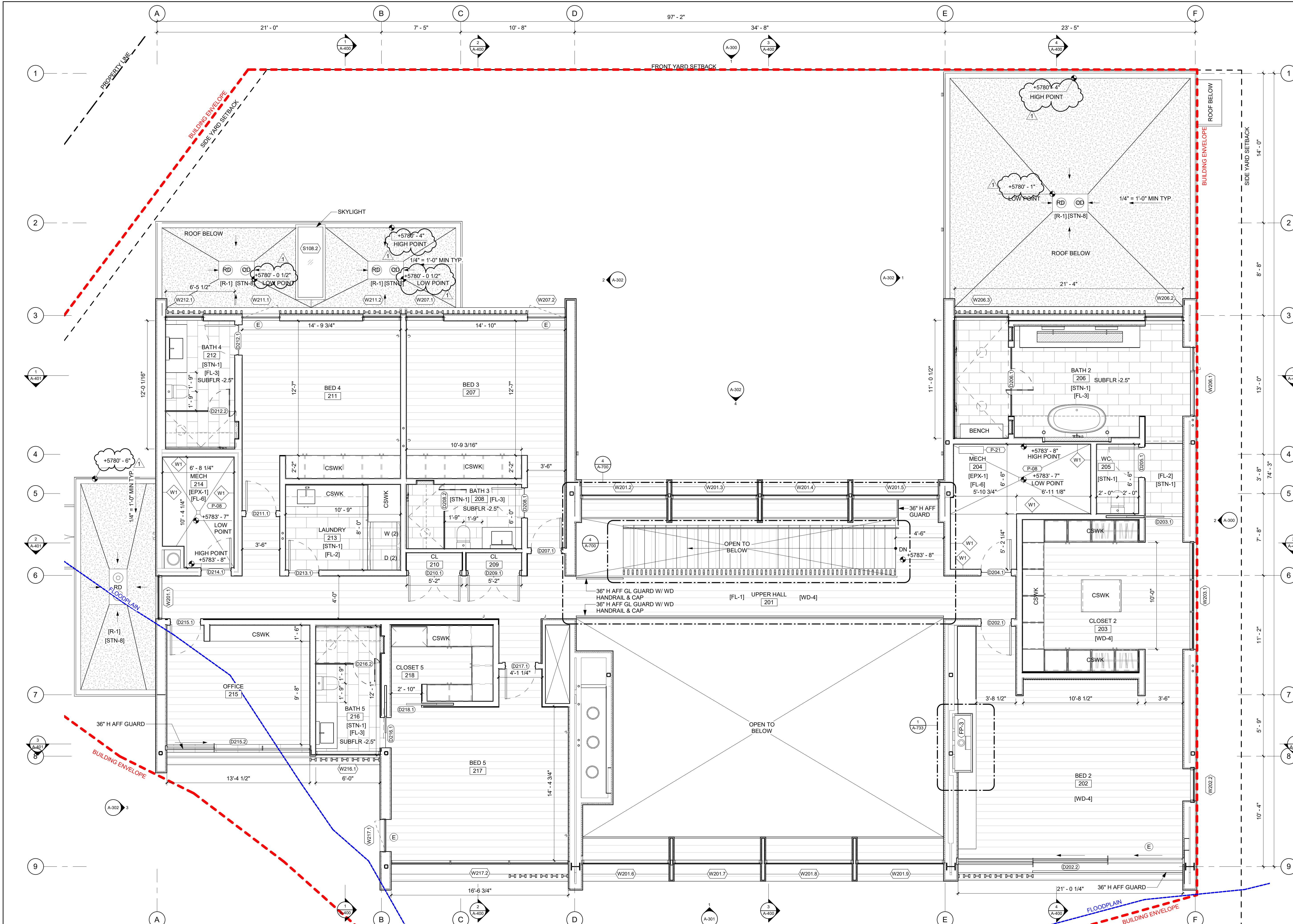
**FLOOR PLAN / LEVEL 02**

DRAWING NUMBER:

**A-102**

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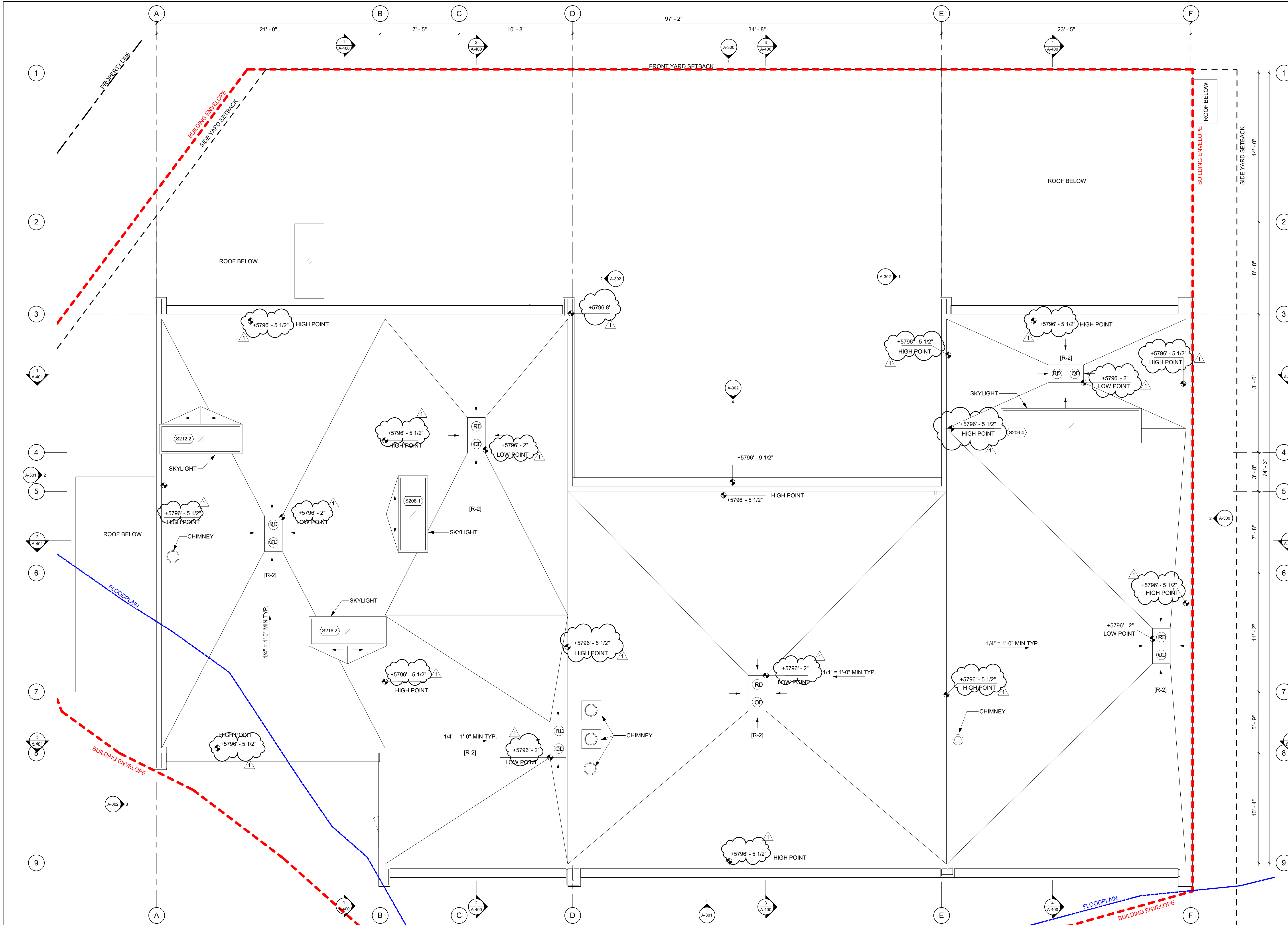


1 1/4" = 1'-0" FLOOR PLAN - LEVEL 02

### FLOOR PLAN NOTES:

1. ALL DIMENSIONS TAKEN FROM FINISH FACE, UNO
2. SEE FRAMING PLANS FOR FRAMING AND LAYOUT
3. SEE STRUCTURAL DRAWINGS FOR EXACT SIZE AND LOCATION OF STRUCTURAL COLUMNS, BEAMS, GIRDERS, ETC.
4. SEE G-200 AND G-201 FOR WALL AND FLOOR ASSEMBLIES
5. CONTACT ARCHITECT WITH ANY FINISH ALIGNMENT ISSUES
6. SEE A-800S ENLARGED FLOOR PLANS AND INTERIOR ELEVATIONS
7. SEE G-108 FOR FIREPLACE SCHEDULE.

Tue 04/16/24 9:17:40 AM



1 1/4" = 1'-0" ROOF PLAN

**FLOOR PLAN NOTES:**

- 1. ALL DIMENSIONS TAKEN FROM FINISH FACE, UNO
- 2. SEE FRAMING PLANS FOR FRAMING AND LAYOUT
- 3. SEE STRUCTURAL DRAWINGS FOR EXACT SIZE AND LOCATION OF STRUCTURAL COLUMNS, BEAMS, GIRDERS, ETC.
- 4. SEE G-200 AND G-201 FOR WALL AND FLOOR ASSEMBLIES
- 5. CONTACT ARCHITECT WITH ANY FINISH ALIGNMENT ISSUES
- 6. SEE A-800S ENLARGED FLOOR PLANS AND INTERIOR ELEVATIONS
- 7. SEE G-108 FOR FIREPLACE SCHEDULE.

**450 WOOD RIVER**

OWNER:  
**450-490 WOOD RIVER, LLC**  
 ATTN: FRAZIER CAVNESS  
 P.O. BOX 14001-174  
 KETCHUM, ID 83340

PROJECT ARCHITECT:  
**RO | ROCKETT DESIGN**  
 1031 W. MANCHESTER BLVD. UNIT 6  
 INGLEWOOD, CA 90301  
 TEL: 213.784.0014

CONTRACTOR:  
**BUTLER ASSOCIATES, INC.**  
 319 MAIN STREET  
 KETCHUM, ID 83340  
 TEL: 208.726.6432

CIVIL ENGINEER:  
**BENCHMARK ASSOCIATES**  
 100 BELL DRIVE  
 KETCHUM, ID 83340  
 TEL: 208.726.9512

LANDSCAPE ARCHITECT:  
**FIELD STUDIO LANDSCAPE ARCHITECTS**  
 722 N. ROUSE AVENUE  
 BOZEMAN, MT 59715  
 TEL: 406.551.2098

STRUCTURAL ENGINEER:  
**LABIB FUNK & ASSOCIATES**  
 319 MAIN STREET  
 EL SEGUNDO, CA 90245  
 TEL: 213.239.9700

MEP ENGINEER:  
**CONSULTING ENGINEERING SERVICES (CES)**  
 1001 W OAK BLDG  
 BOZEMAN, MT 59715  
 TEL: 406.272.0352

LIGHTING:  
**KGM ARCHITECTURAL LIGHTING**  
 270 CORAL CIRCLE  
 EL SEGUNDO, CA 90245  
 TEL: 310.552.2191

AV:  
**AUDIO VIDEO SYSTEMS, INC.**  
 2700 HOMESTEAD RD  
 PARK CITY, UT 84098  
 TEL: 801.649.5200

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SEAL: **LICENSED ARCHITECT**  
 AR 987568  
**JASON RO**  
 STATE OF IDAHO

NO	DATE	ISSUE
1	04.16.2024	FDP APP RESUBMITTAL
2	12.13.2023	FDP APPLICATION
3		ISSUE

PROJECT:  
**450 WOOD RIVER**  
 450 WOOD RIVER DRIVE  
 KETCHUM, ID 83340

PROJECT NUMBER:  
**2108**

DRAWING TITLE:  
**ROOF PLAN**

DRAWING NUMBER:  
**A-103**

**NOT FOR CONSTRUCTION**

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Tue 04/16/24 9:17:42 AM

# 450 WOOD RIVER

OWNER:

450-490 WOOD RIVER, LLC  
ATTN: FRAZIER CAVNESS  
P.O. BOX 14001-174  
KETCHUM, ID 83340

PROJECT ARCHITECT:

RO | ROCKETT DESIGN  
1031 W. MANCHESTER BLVD. UNIT 6  
INGLEWOOD, CA 90301  
TEL: 213.784.0014

CONTRACTOR:

GEOTECHNICAL ENGINEER:

BUTLER ASSOCIATES, INC.  
P.O. BOX 1034  
KETCHUM, ID 83340  
TEL: 208.720.6432

CIVIL ENGINEER:

BENCHMARK ASSOCIATES  
100 BELL DRIVE  
KETCHUM, ID 83340  
TEL: 208.726.9512

LANDSCAPE ARCHITECT:

FIELD STUDIO LANDSCAPE ARCHITECTS  
722 N. ROUSE AVENUE  
BOZEMAN, MT 59715  
TEL: 406.551.2098

STRUCTURAL ENGINEER:

LABIB FUNK & ASSOCIATES  
319 MAIN STREET  
EL SEGUNDO, CA 90245  
TEL: 213.239.9700

MEP ENGINEER:

CONSULTING ENGINEERING SERVICES (CES)  
1001 W OAK BLDG  
BOZEMAN, MT 59715  
TEL: 406.272.0352

LIGHTING:

KGM ARCHITECTURAL LIGHTING  
270 CORAL CIRCLE  
EL SEGUNDO, CA 90245  
TEL: 310.552.2191

AV:

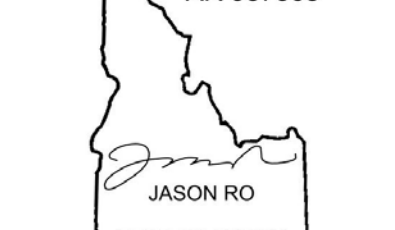
AUDIO VIDEO SYSTEMS, INC.  
2700 HOMESTEAD RD  
PARK CITY, UT 84098  
TEL: 801.649.5200

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SEAL:

LICENSED ARCHITECT AR 987568



1 04.16.2024 FDP APP RESUBMITTAL  
12.13.2023 FDP APPLICATION  
NO DATE ISSUE

PROJECT:  
**450 WOOD RIVER**  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

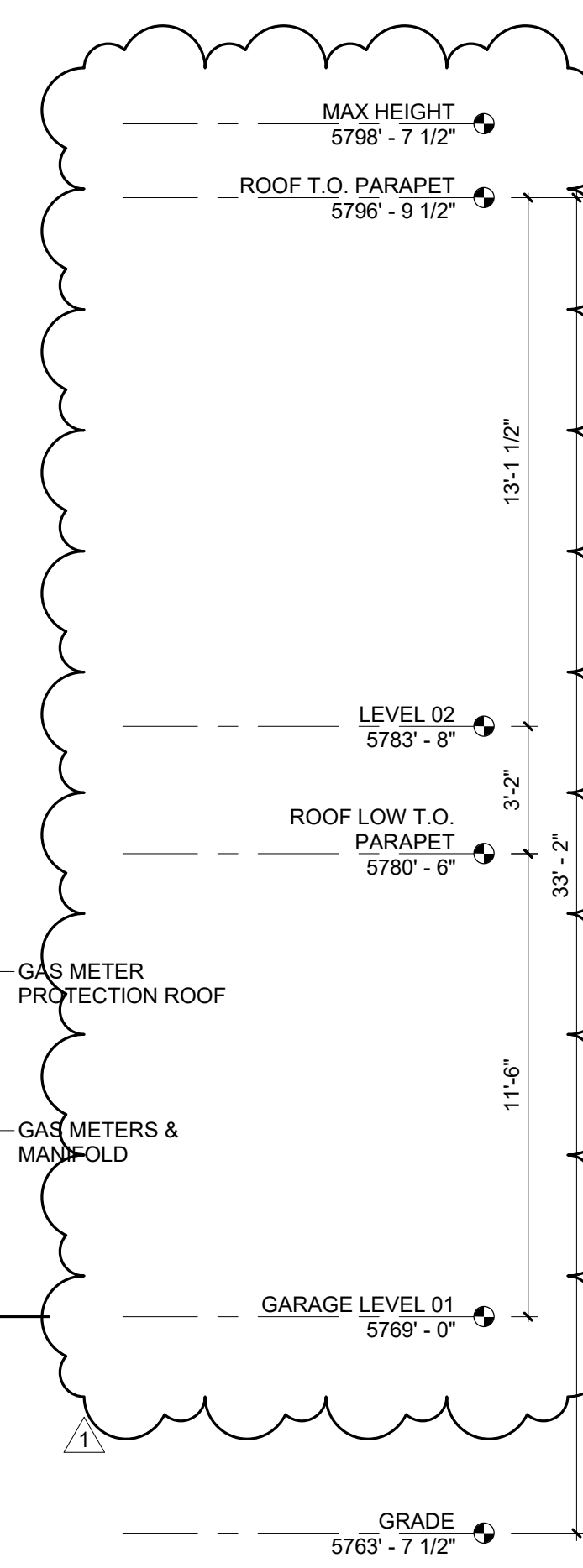
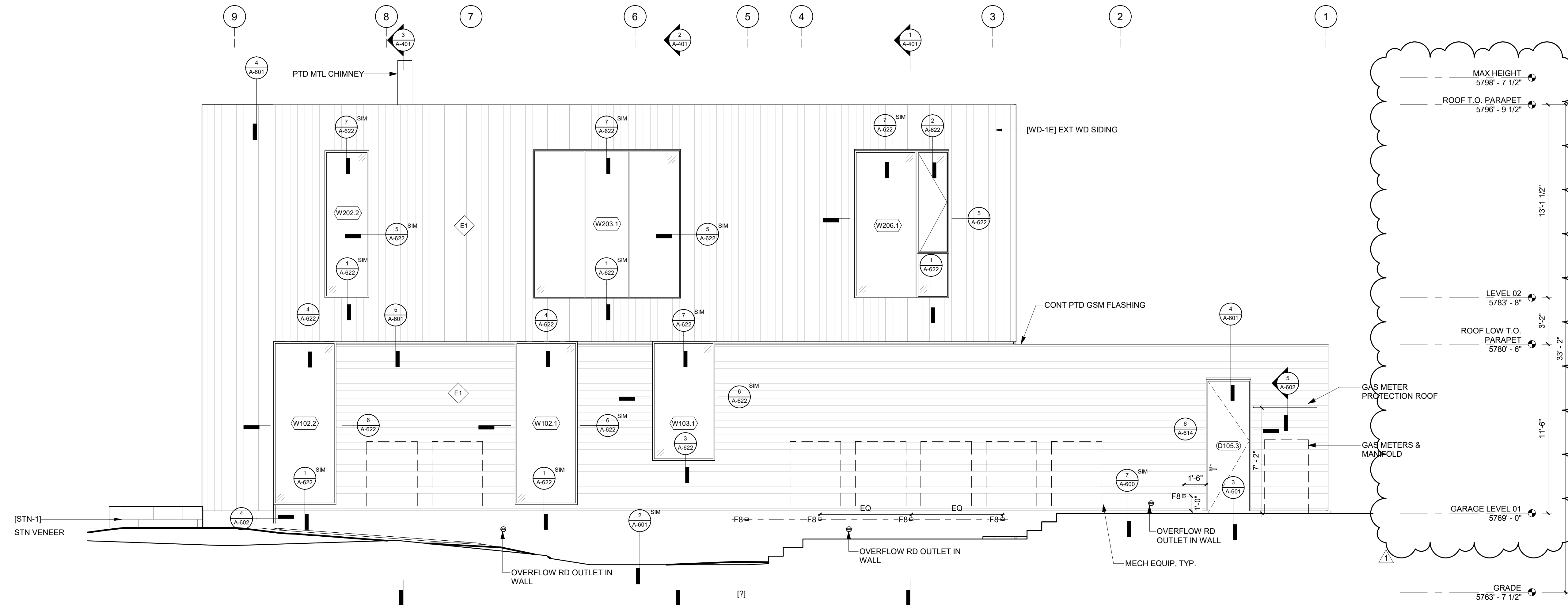
PROJECT NUMBER:  
**2108**

DRAWING TITLE:  
**EXTERIOR ELEVATIONS**

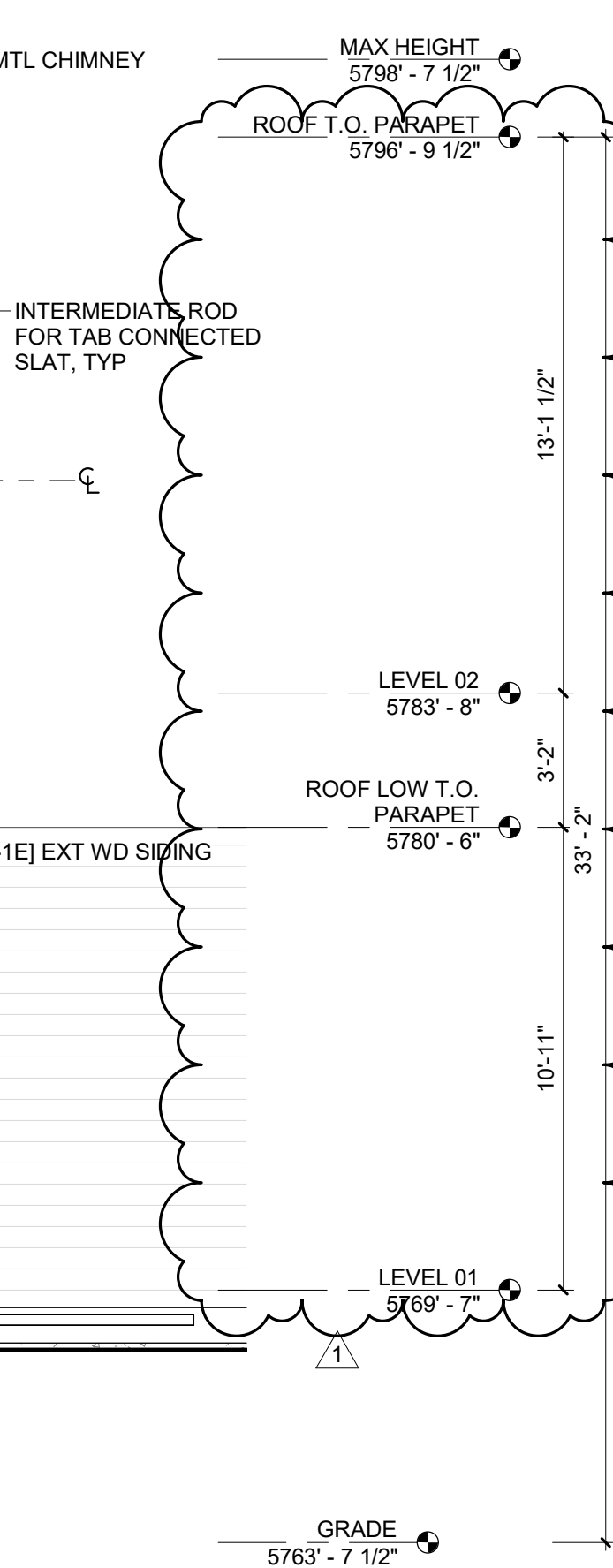
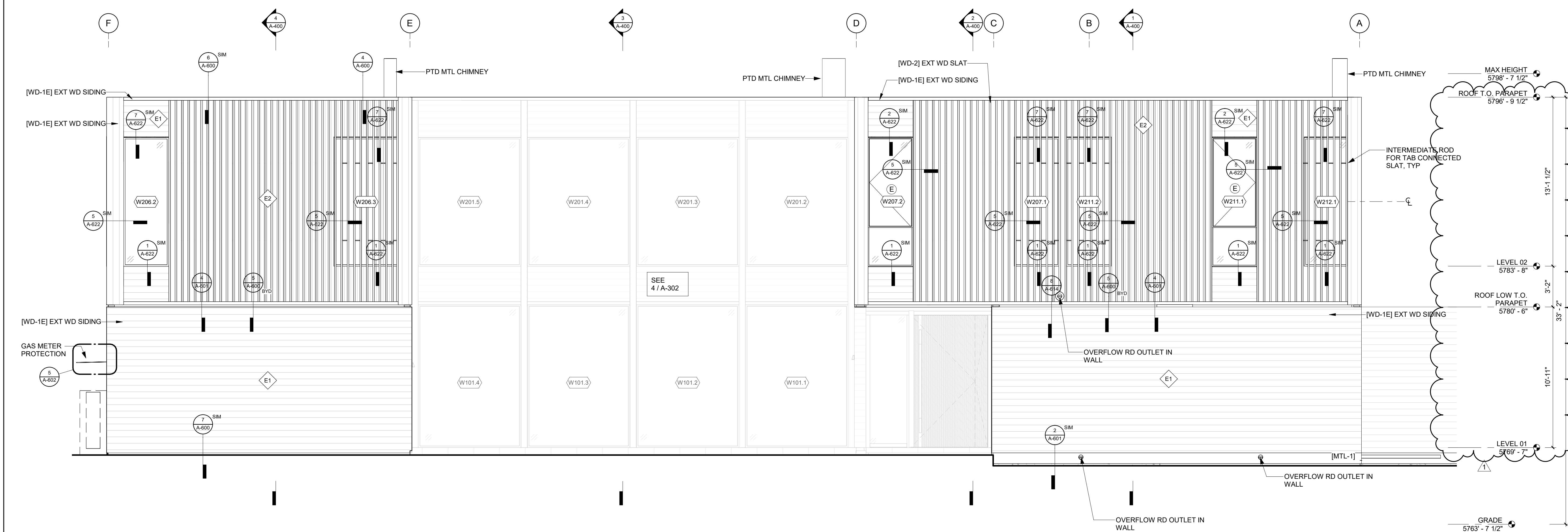
DRAWING NUMBER:  
**A-300**

NOT FOR CONSTRUCTION

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2 1/4" = 1'-0" EXTERIOR ELEVATION - EAST



1 1/4" = 1'-0" EXTERIOR ELEVATION - NORTH



Tue 04/16/24 9:17:45 AM

# 450 WOOD RIVER

OWNER:

450-490 WOOD RIVER, LLC  
ATTN: FRAZIER CAVNESS  
P.O. BOX 14001-174  
KETCHUM, ID 83340

PROJECT ARCHITECT:

RO | ROCKETT DESIGN  
1031 W. MANCHESTER BLVD. UNIT 6  
INGLEWOOD, CA 90301  
TEL: 213.784.0014

CONTRACTOR:

GEOTECHNICAL ENGINEER:

BUTLER ASSOCIATES, INC.  
P.O. BOX 1034  
KETCHUM, ID 83340  
TEL: 208.720.6432

CIVIL ENGINEER:

BENCHMARK ASSOCIATES  
100 BELL DRIVE  
KETCHUM, ID 83340  
TEL: 208.726.9512

LANDSCAPE ARCHITECT:

FIELD STUDIO LANDSCAPE ARCHITECTS  
722 N. ROUSE AVENUE  
BOZEMAN, MT 59715  
TEL: 406.551.2098

STRUCTURAL ENGINEER:

LABIB FUNK & ASSOCIATES  
319 MAIN STREET  
EL SEGUNDO, CA 90245  
TEL: 213.239.9700

MEP ENGINEER:

CONSULTING ENGINEERING SERVICES (CES)  
1001 W OAK BLDG  
BOZEMAN, MT 59715  
TEL: 406.272.0352

LIGHTING:

KGM ARCHITECTURAL LIGHTING  
270 CORAL CIRCLE  
EL SEGUNDO, CA 90245  
TEL: 310.552.2191

AV:

AUDIO VIDEO SYSTEMS, INC.  
2700 HOMESTEAD RD  
PARK CITY, UT 84098  
TEL: 801.649.5200

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SEAL:



1	04.16.2024	FDP APP RESUBMITTAL
	12.13.2023	FDP APPLICATION
NO	DATE	ISSUE

PROJECT:  
**450 WOOD RIVER**  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

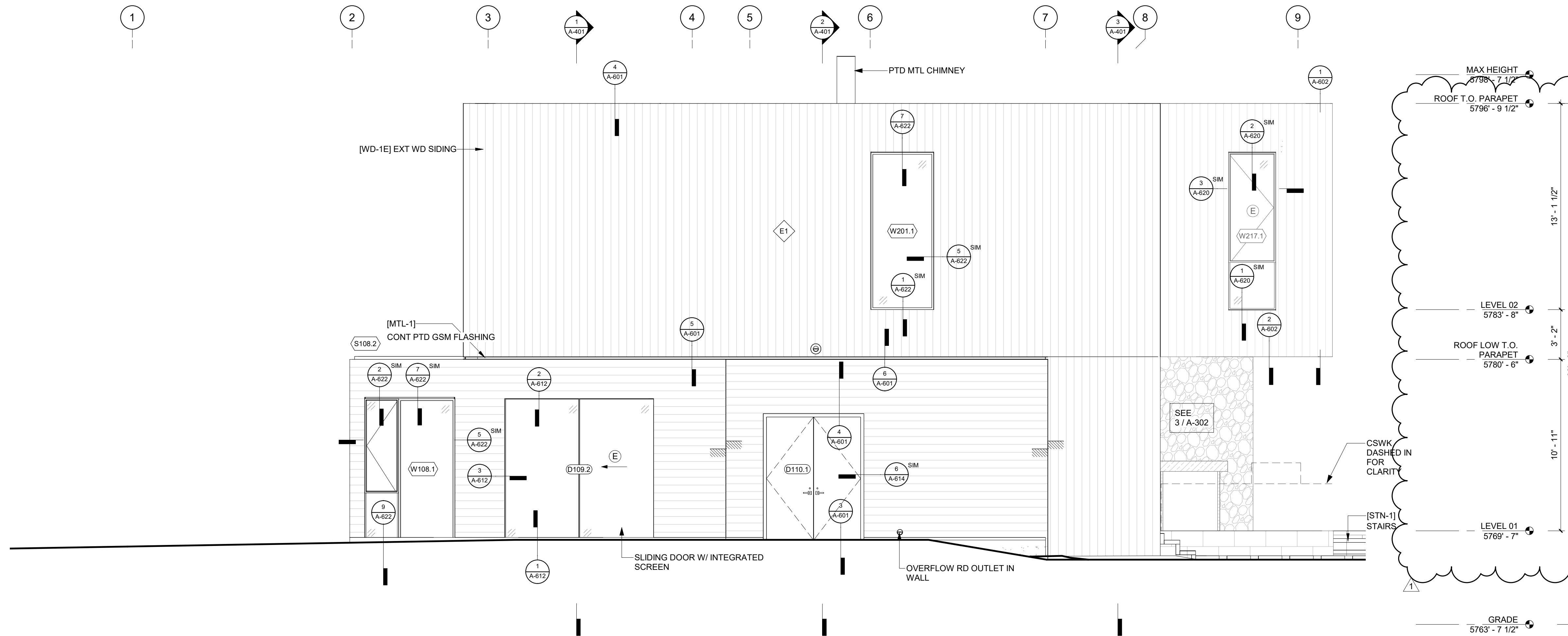
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**2108**

DRAWING TITLE:  
**EXTERIOR ELEVATIONS**

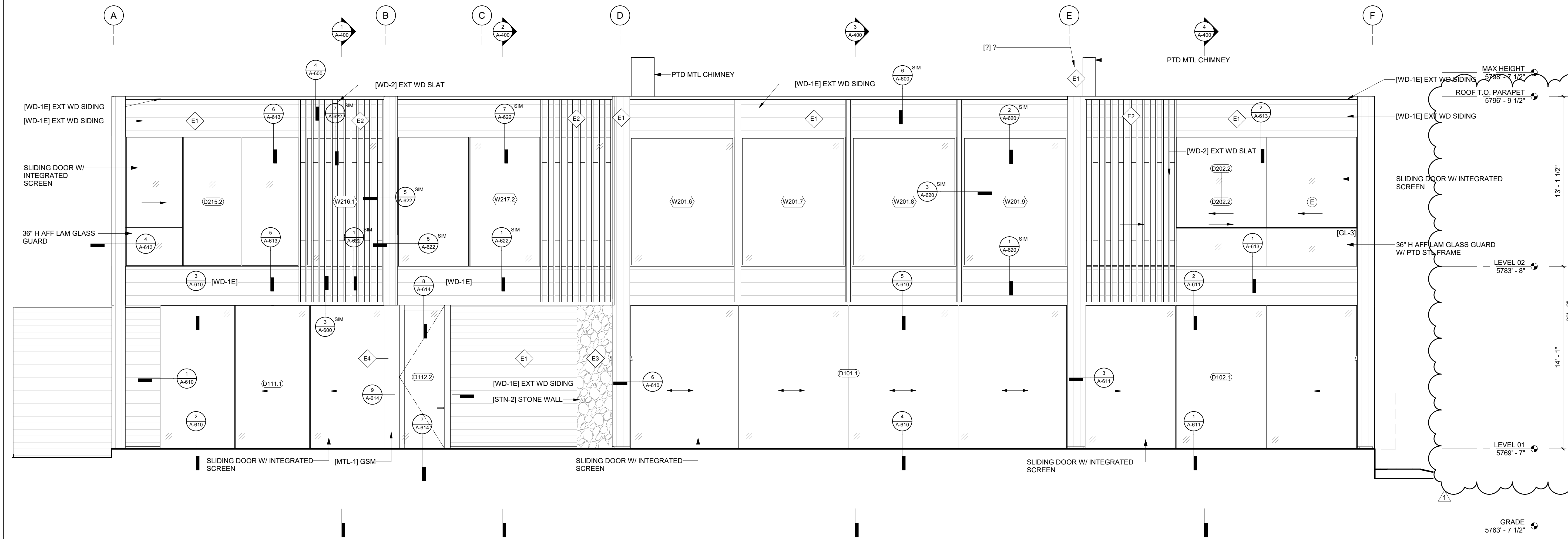
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**A-301**

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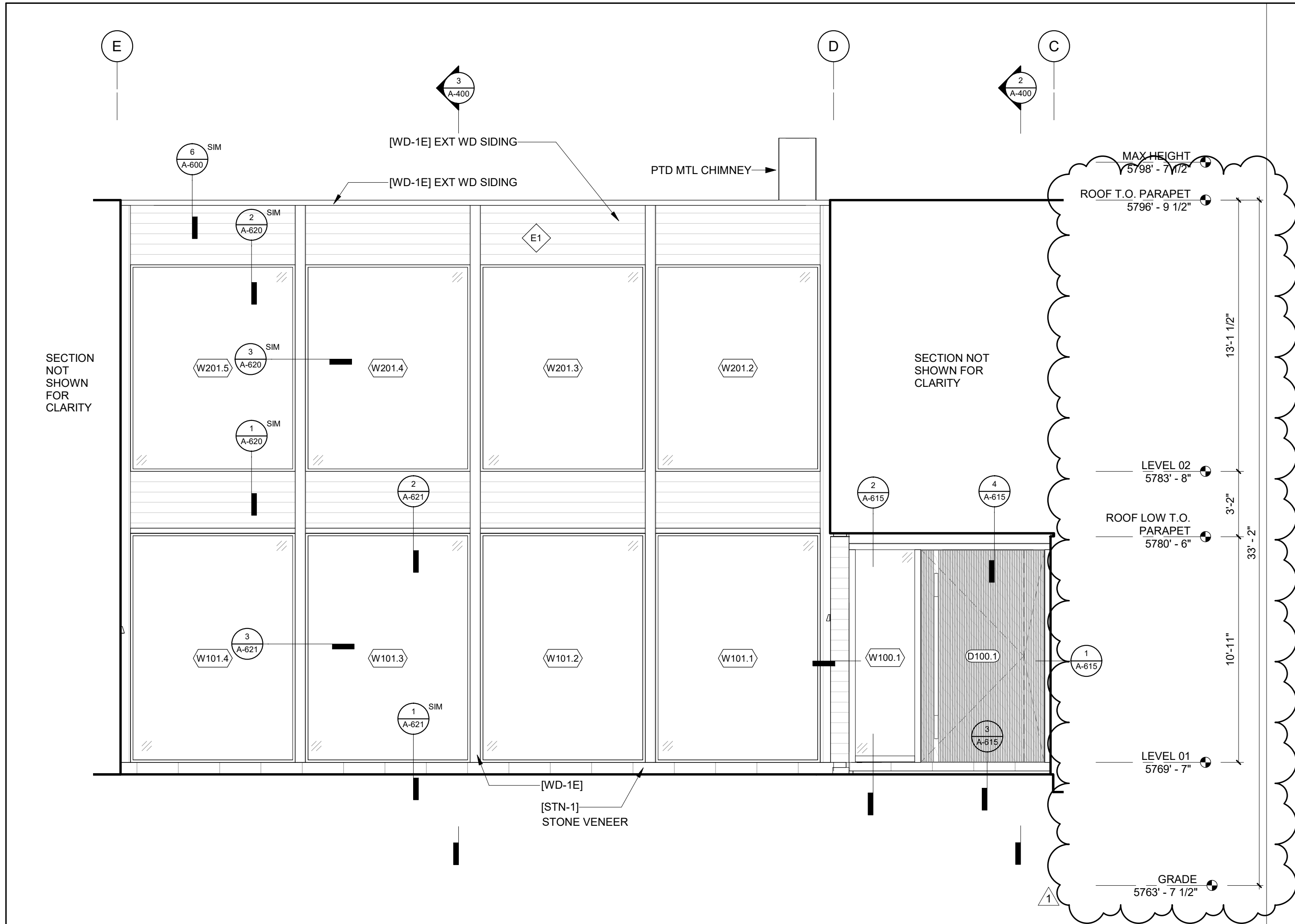
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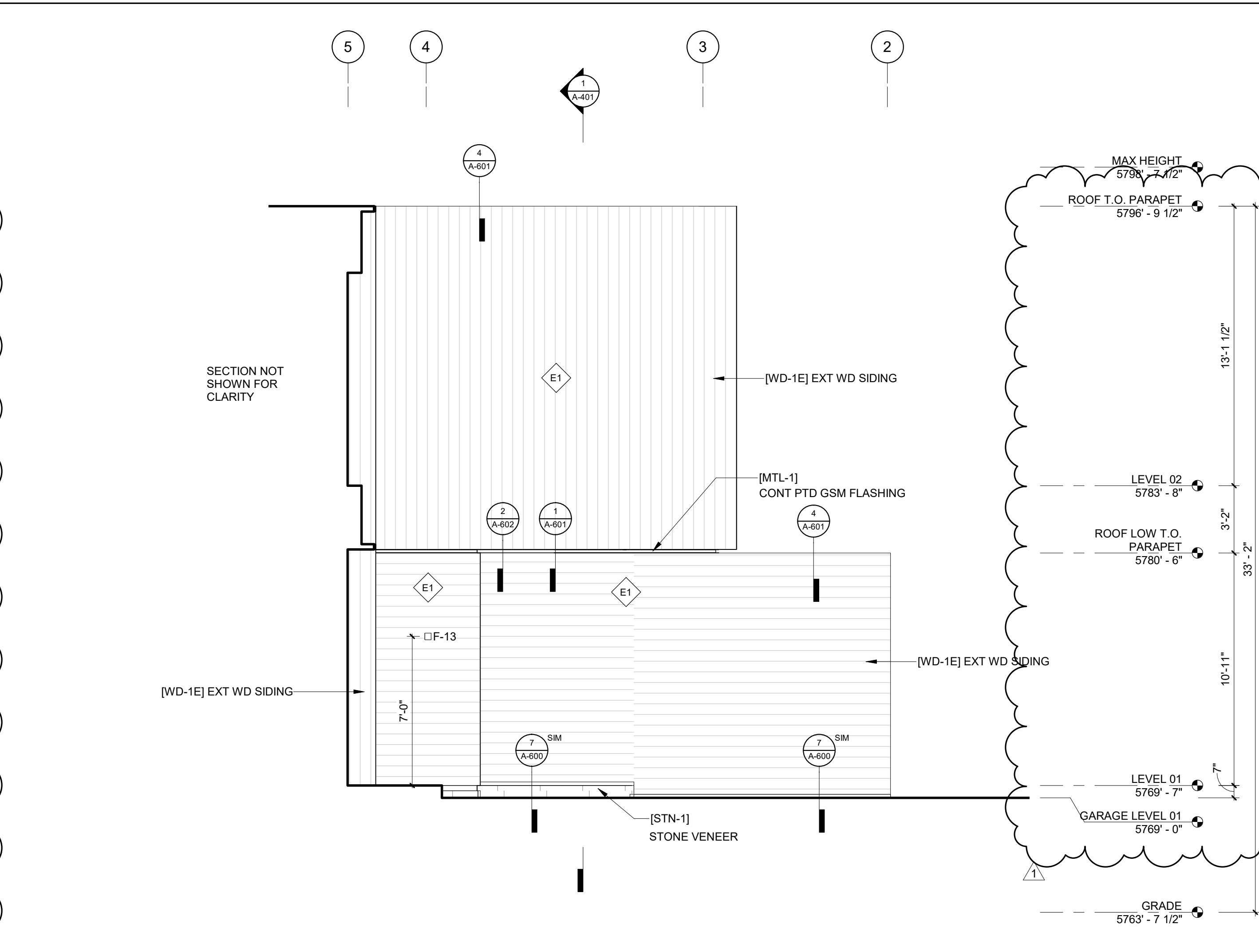
2 1/4" = 1'-0" EXTERIOR ELEVATION - WEST



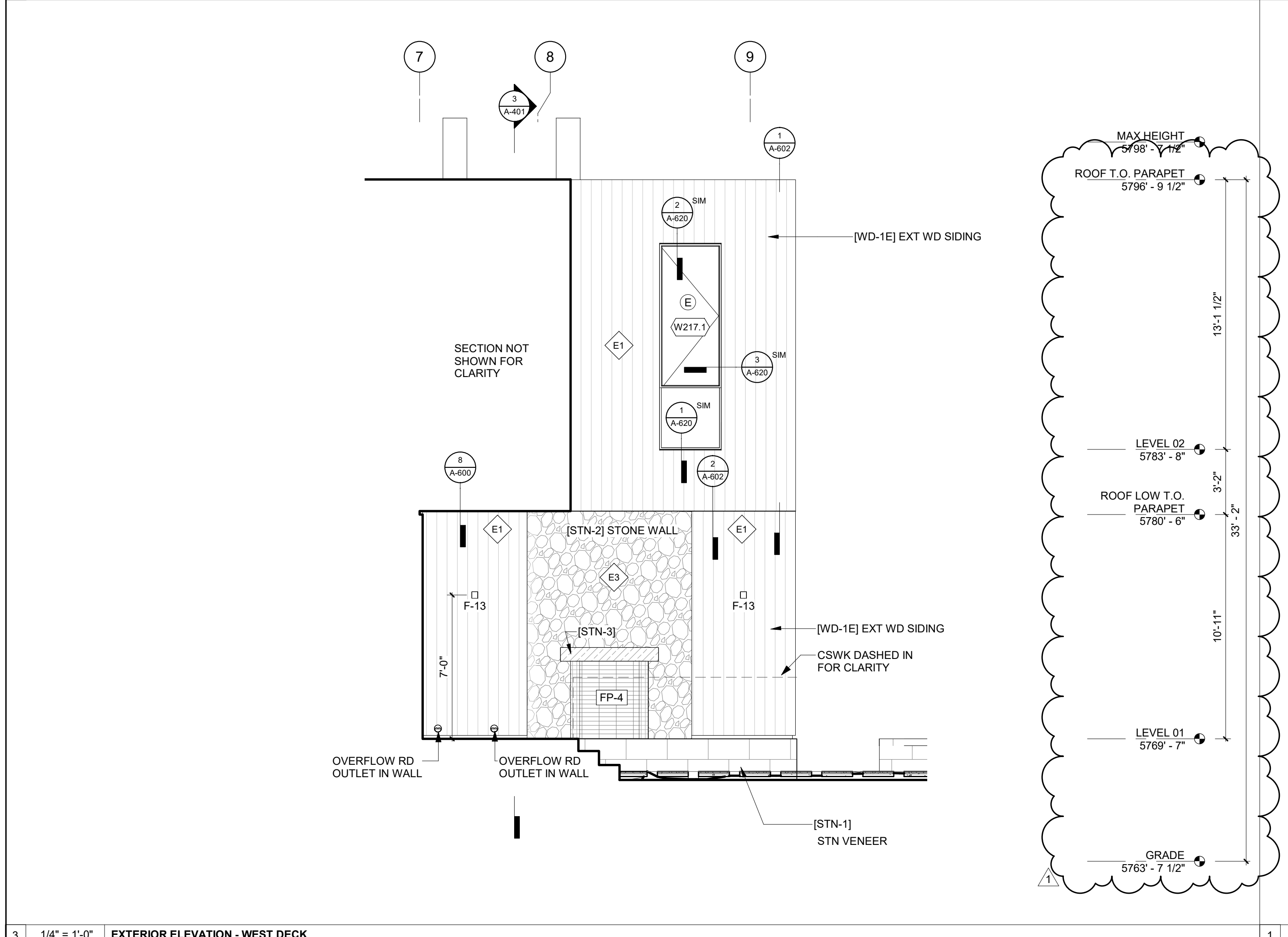
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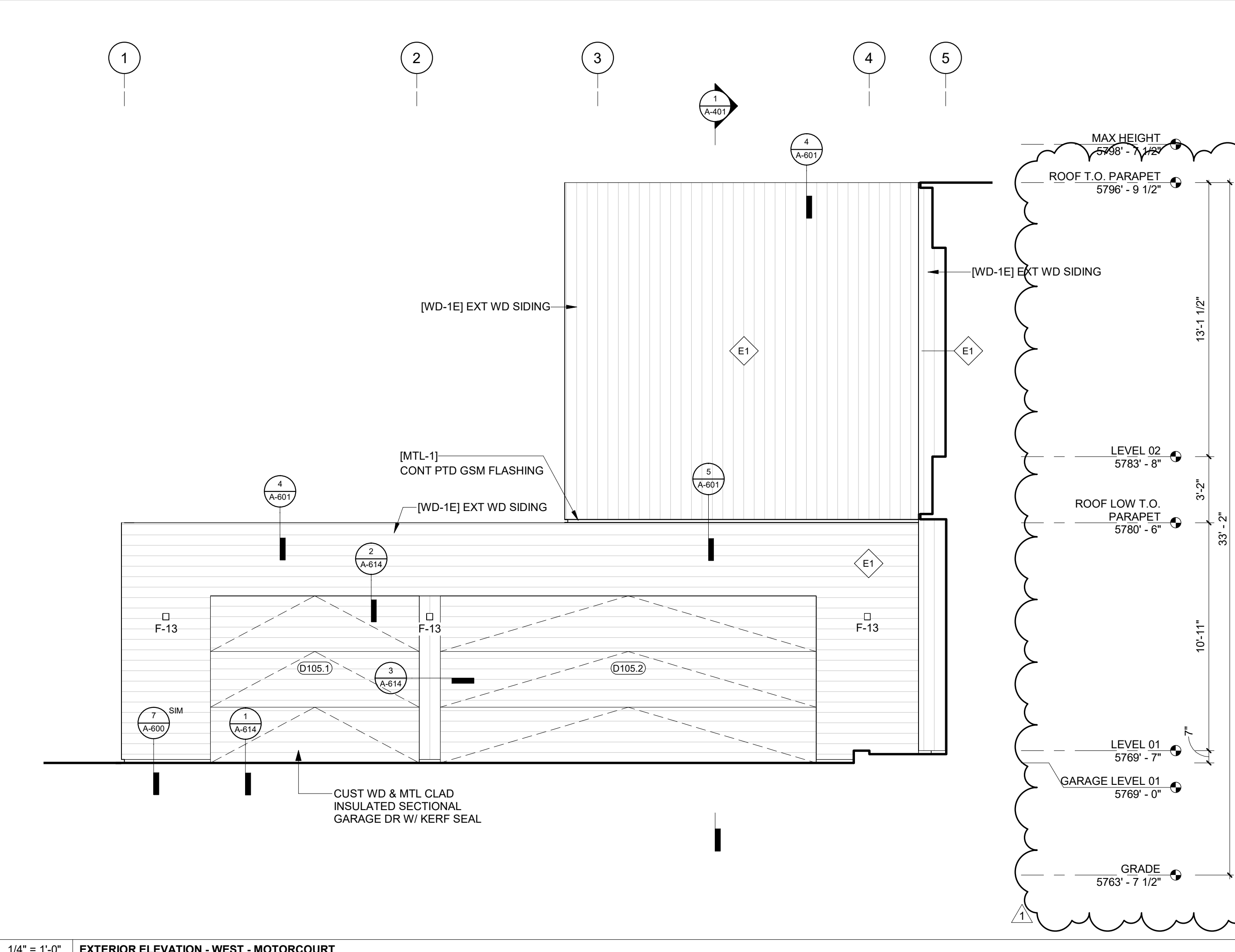
4 1/4" = 1'-0" EXTERIOR ELEVATION - NORTH ENTRANCE



2 1/4" = 1'-0" EXTERIOR ELEVATION - EAST - MOTORCOURT



3 1/4" = 1'-0" EXTERIOR ELEVATION - WEST DECK



1 1/4" = 1'-0" EXTERIOR ELEVATION - WEST - MOTORCOURT

### 450 WOOD RIVER

OWNER:  
**450-490 WOOD RIVER, LLC**  
 ATTN: FRAZIER CAVNESS  
 P.O. BOX 14001-174  
 KETCHUM, ID 83340

PROJECT ARCHITECT:  
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AV:  
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 TEL: 801.649.5200

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SEAL: LICENSED ARCHITECT AR 987568  
 JASON RO  
 STATE OF IDAHO

1	04.16.2024	FDP APP RESUBMITTAL
	12.13.2023	FDP APPLICATION
NO	DATE	ISSUE

PROJECT:  
**450 WOOD RIVER**  
 450 WOOD RIVER DRIVE  
 KETCHUM, ID 83340

PROJECT NUMBER:  
**2108**

DRAWING TITLE:  
**EXTERIOR ELEVATIONS**

DRAWING NUMBER:  
**A-302**

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**450 WOOD RIVER**

OWNER:  
**450-490 WOOD RIVER, LLC**  
 ATTN: FRAZIER CAVNESS  
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**BENCHMARK ASSOCIATES**  
 100 BELL DRIVE  
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 TEL: 208.726.9512

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MEP ENGINEER:  
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LIGHTING:

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SEAL: **LICENSED ARCHITECT AR 987568**



1	04.16.2024	FDP APP RESUBMITTAL
	12.13.2023	FDP APPLICATION
NO	DATE	ISSUE

PROJECT:  
**450 WOOD RIVER**  
 450 WOOD RIVER DRIVE  
 KETCHUM, ID 83340

PROJECT NUMBER:  
**2108**

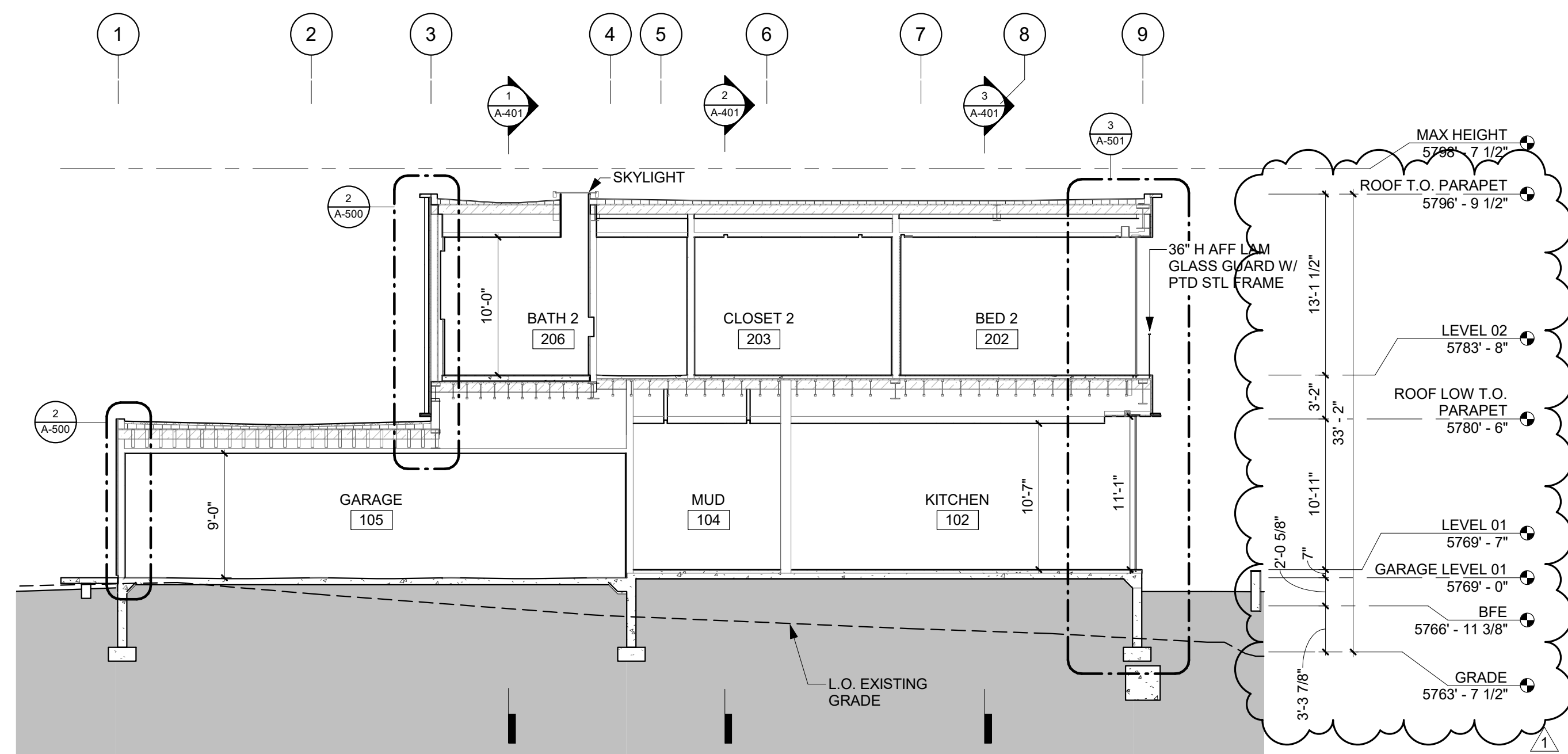
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**BUILDING SECTIONS**

DRAWING NUMBER:  
**A-400**

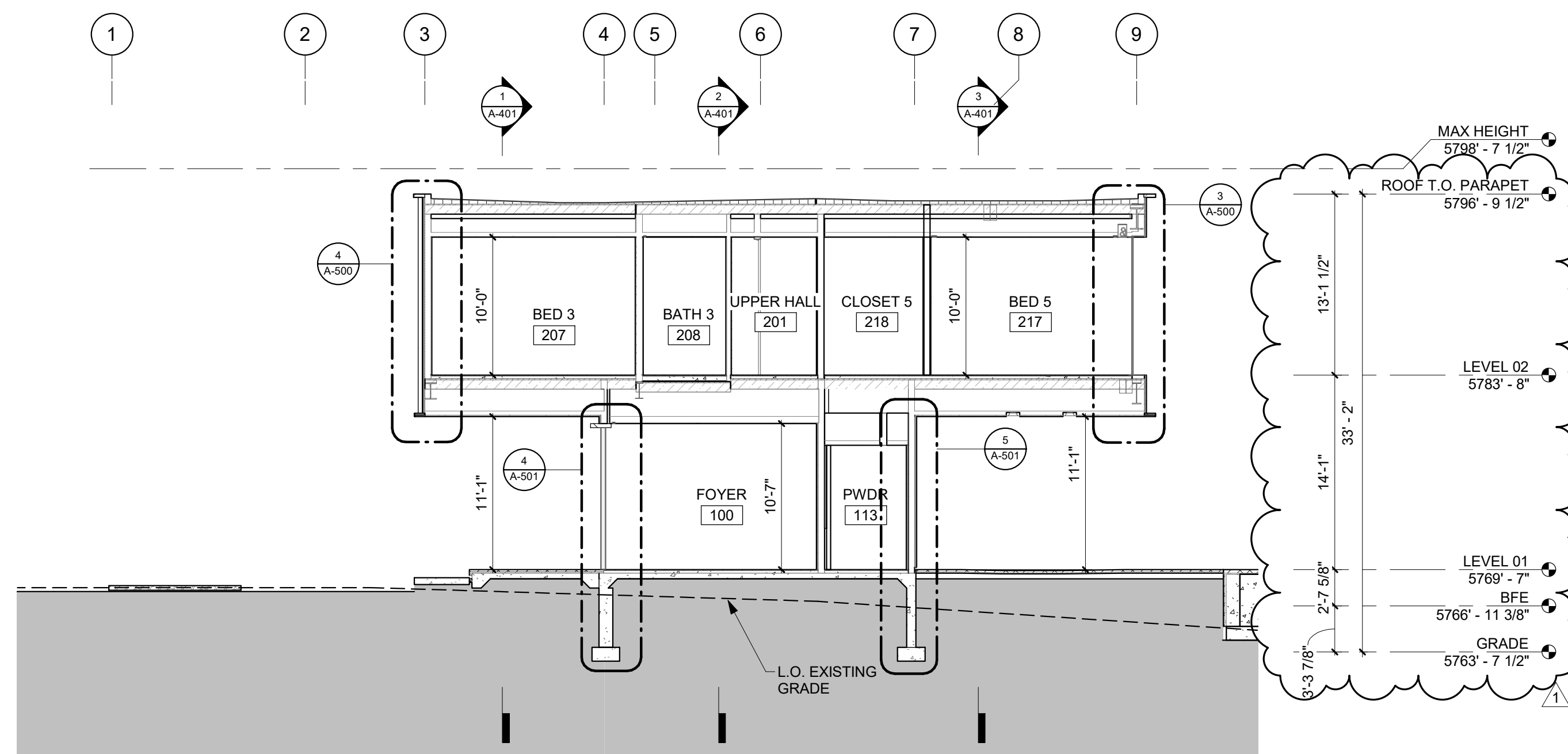
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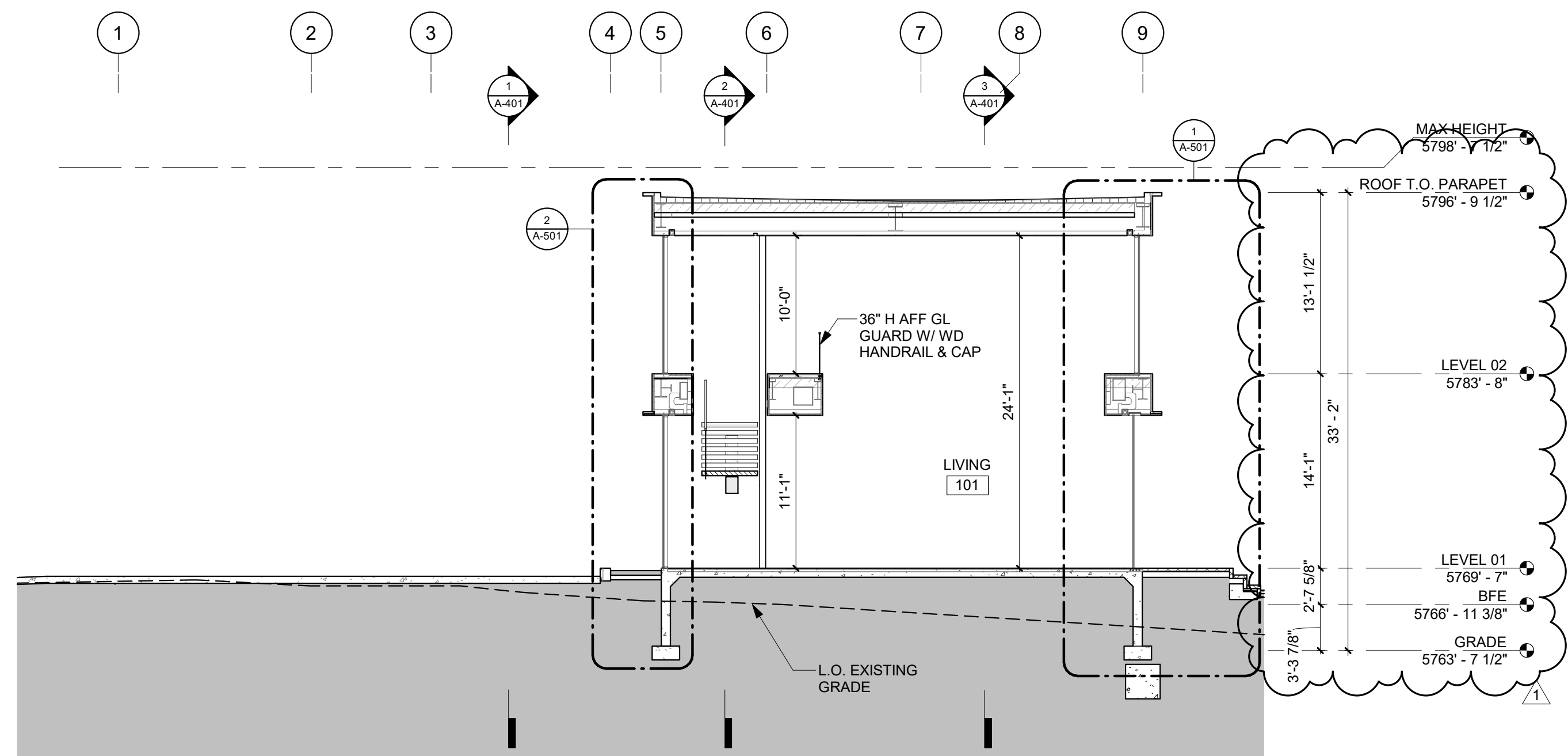
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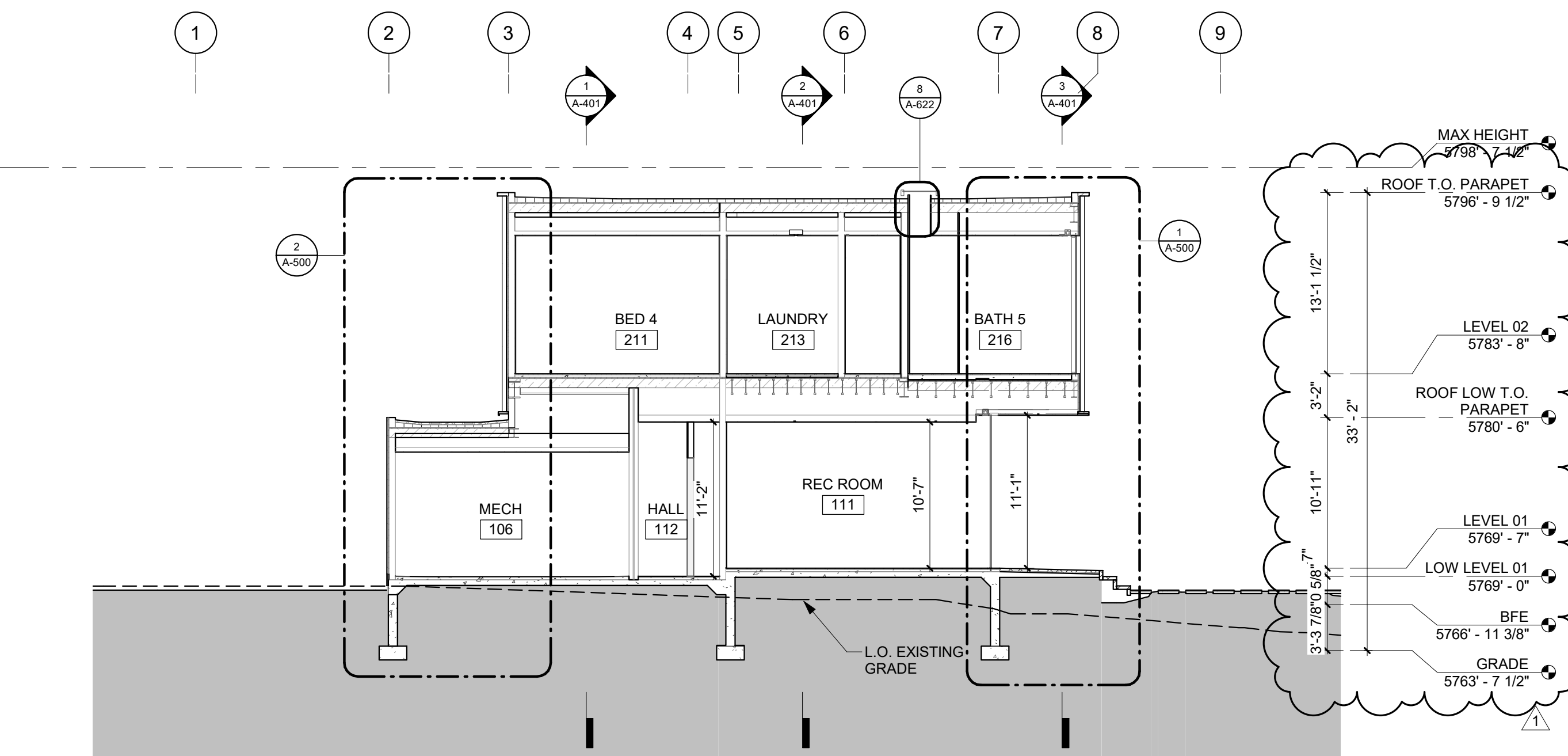
2 1/8" = 1'-0" **BUILDING SECTION - ENTRY**



3 1/8" = 1'-0" **BUILDING SECTION - LIVING N-S**



1 1/8" = 1'-0" **BUILDING SECTION - WEST**



### 450 WOOD RIVER

OWNER:

450-490 WOOD RIVER, LLC  
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EL SEGUNDO, CA 90245  
TEL: 213.239.9700

MEP ENGINEER:

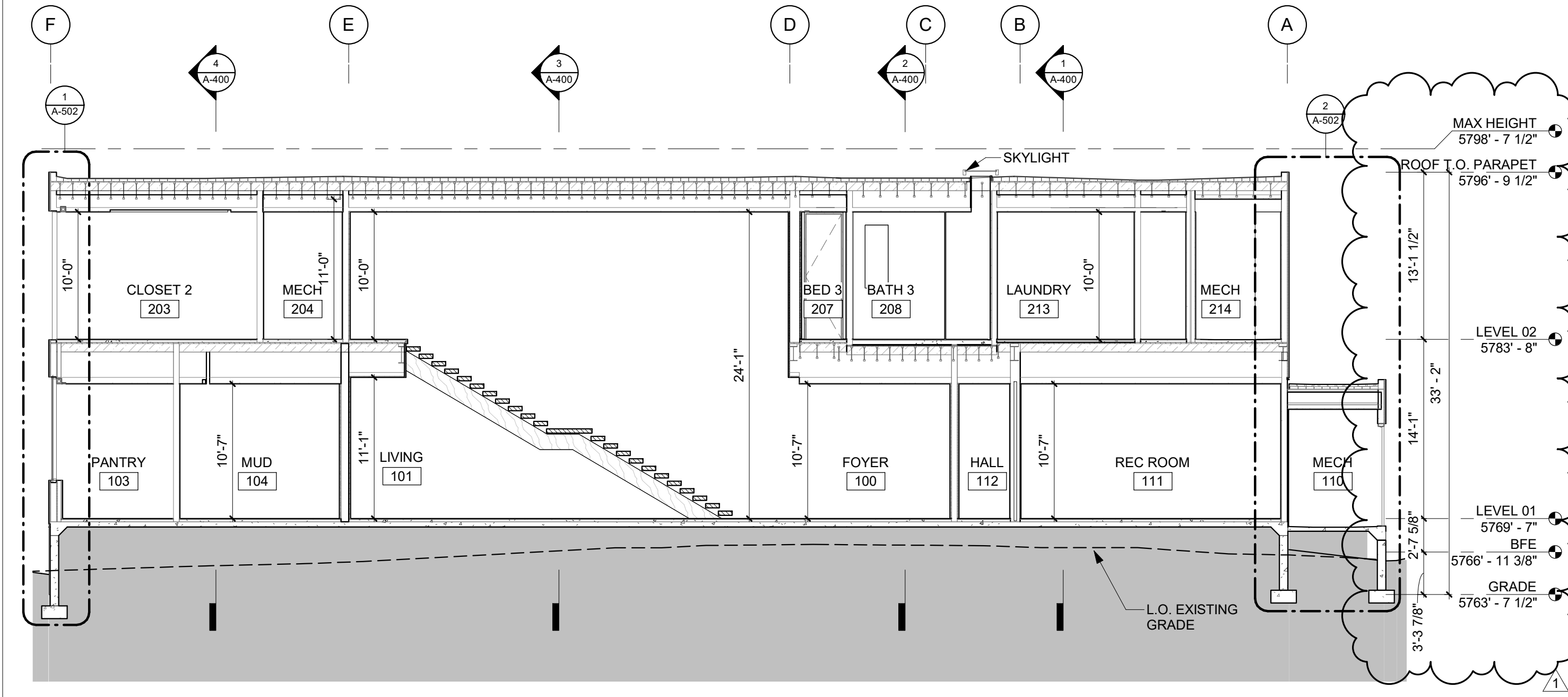
CONSULTING ENGINEERING SERVICES (CES)  
1001 W OAK BLDG  
BOZEMAN, MT 59715  
TEL: 406.272.0352

LIGHTING:

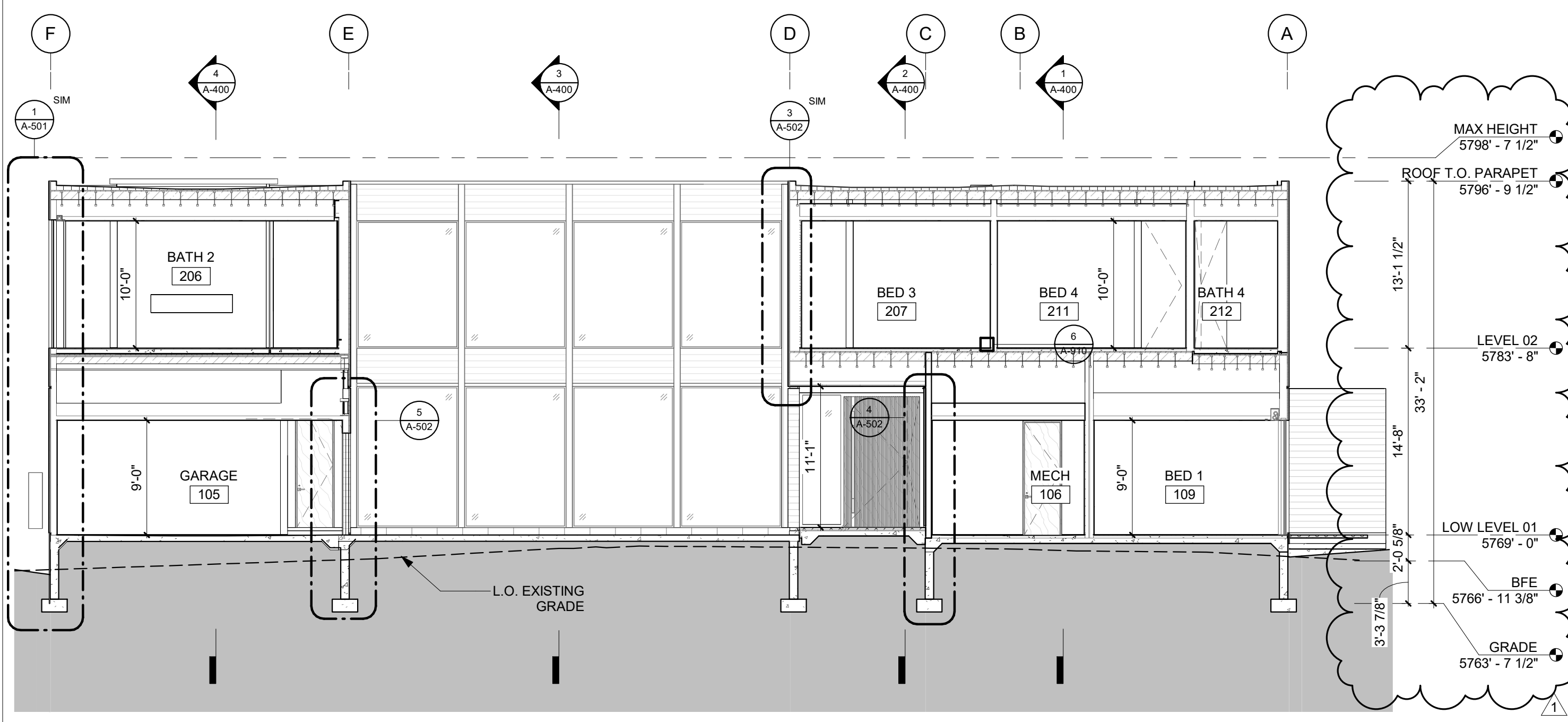
KGM ARCHITECTURAL LIGHTING  
270 CORAL CIRCLE  
EL SEGUNDO, CA 90245  
TEL: 310.552.2191

AV:

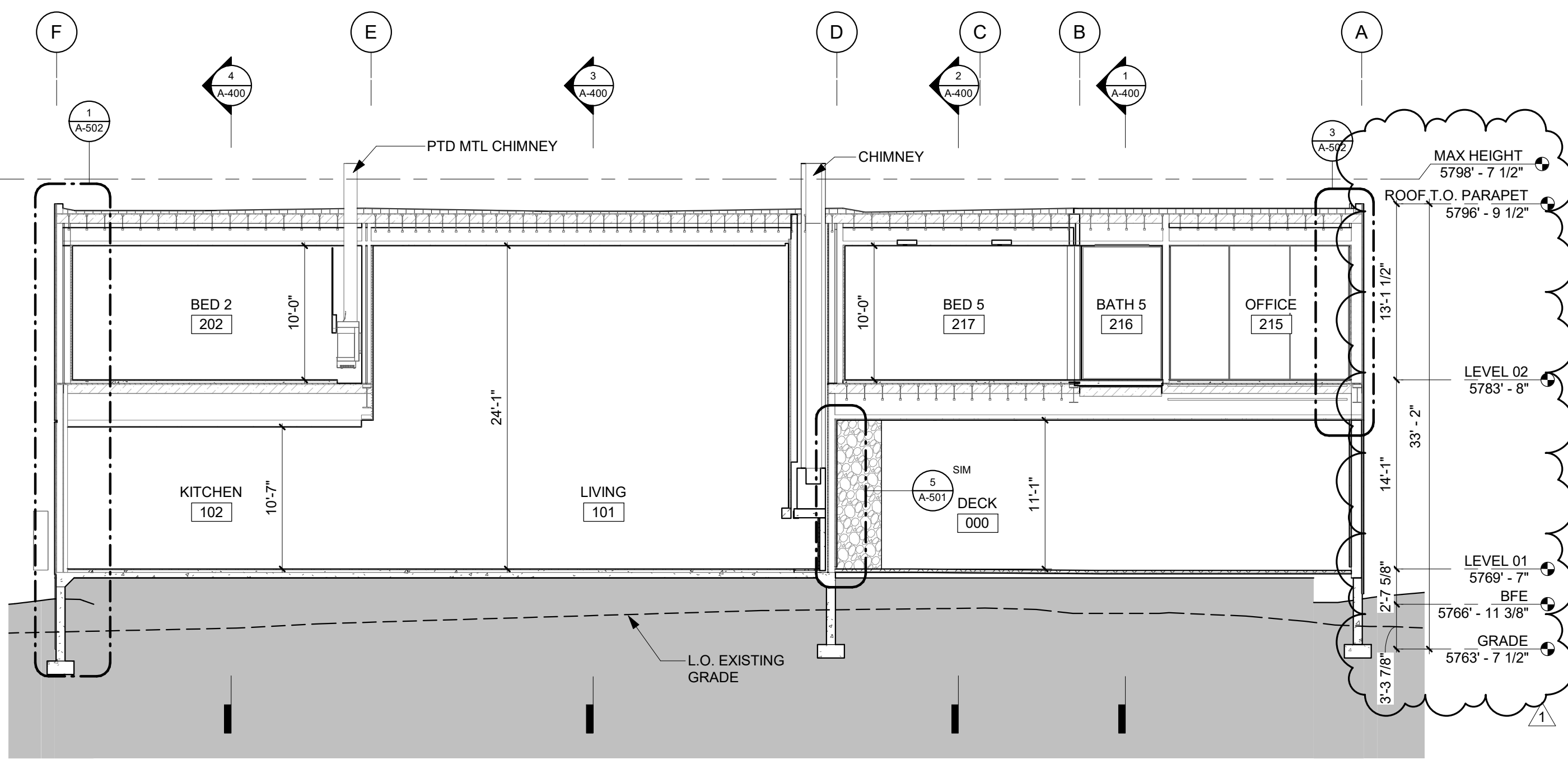
AUDIO VIDEO SYSTEMS, INC.  
2700 HOMESTEAD RD  
PARK CITY, UT 84098  
TEL: 801.649.5200



2 1/8" = 1'-0" BUILDING SECTION - STAIR



1 1/8" = 1'-0" BUILDING SECTION - NORTH



3 1/8" = 1'-0" SECTION - KITCHEN & LIVING E-W

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SEAL:



1	04.16.2024	FDP APP RESUBMITTAL
12	13.2023	FDP APPLICATION
NO	DATE	ISSUE

PROJECT:  
**450 WOOD RIVER**  
450 WOOD RIVER DRIVE  
KETCHUM, ID 83340

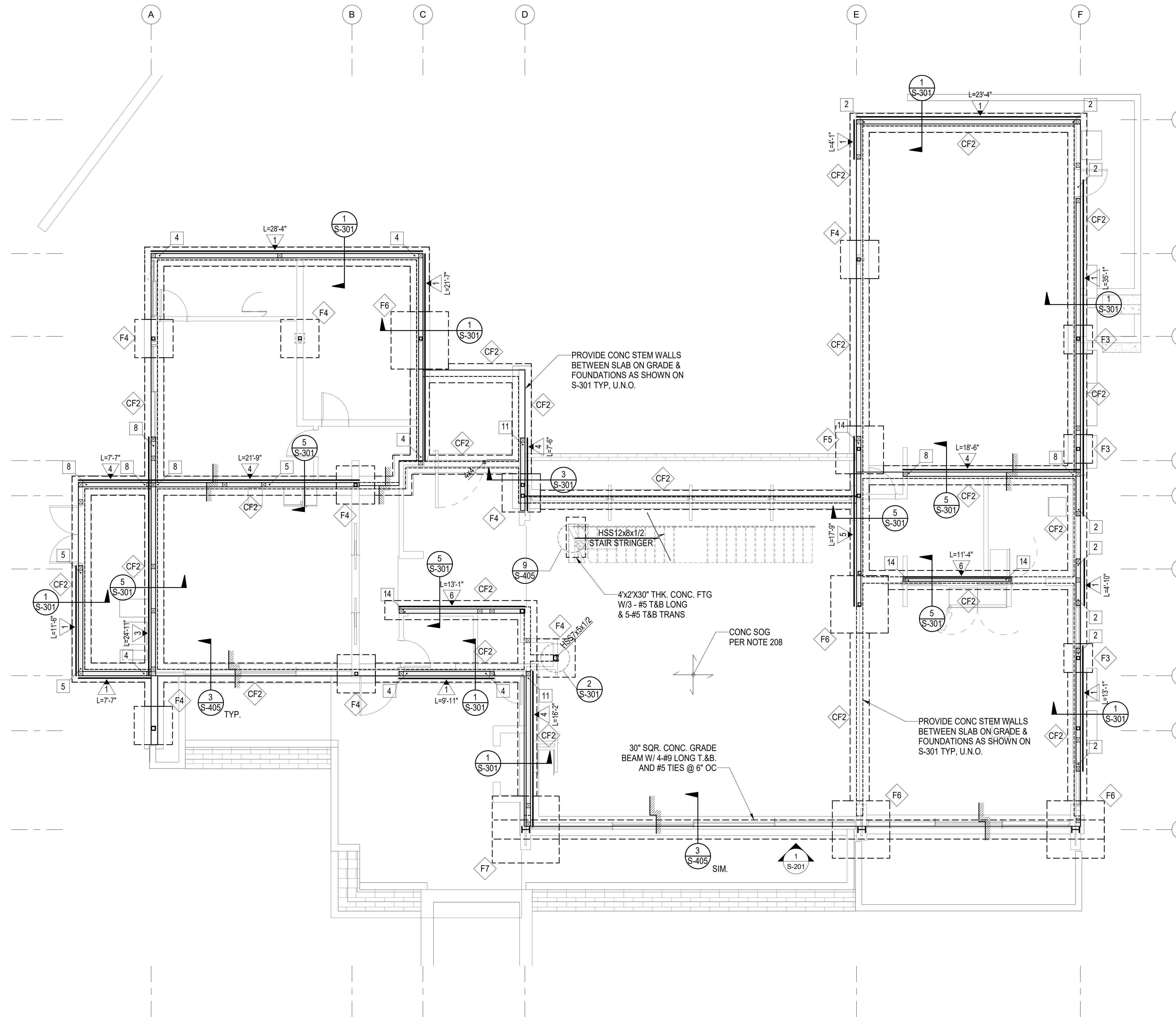
PROJECT NUMBER  
**2108**

DRAWING TITLE:  
**BUILDING SECTIONS**

DRAWING NUMBER:  
**A-401**

NOT FOR CONSTRUCTION

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**PLAN NOTES - SHEETS AND GENERAL:**

- 101. GENERAL NOTES AND TYPICAL DETAILS SHEETS: SEE S0.01 THRU S0.62 SHEETS. GENERAL NOTES & TYPICAL DETAILS APPLY TO ALL PARTS OF THE WORK EXCEPT WHERE SPECIFICALLY DETAILED OR U.N.O. ON THE FLOOR PLANS AND PLAN NOTES.
- 102. VERIFY ALL DIMENSIONS, ELEVATIONS, SLAB EDGES, SLAB DEPRESSIONS, SLAB OPENINGS, CURBS, FOOTING, PENETRATIONS, WALL OPENINGS WITH ARCHITECTURAL, MECHANICAL, PLUMBING, ELECTRICAL & CIVIL DRAWINGS.
- 103. FOR ALL DIMENSIONS & ROOF SLOPES S.A.D.
- 104. NON-BEARING WALLS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. FOR NON-BEARING WALL LOCATIONS S.A.D.

**PLAN NOTES - FOUNDATION:**

- 201. ALL GRADING & FOUNDATION WORK MUST BE OBSERVED AND APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT OF STEEL REINFORCEMENT AND POURING CONCRETE.
- 202. RECOMMENDED MATERIAL IS NATIVE SOIL BELOW THE FROST LINE.
- 203. IF FOR LIMITS AND EXTENT OF OVER EXCAVATION SEE CIVIL DRAWINGS.
- 204. U.N.O. TOP OF CONC. FOOTING ELEVATION SHALL BE 32" BELOW THE LOWEST GRADE. FOR TOP OF SLAB ELEVATION SEE ARCH'L DRAWINGS.
- 205. ALL HOLDOWN HARDWARE IS TO BE SECURED IN PLACE PRIOR TO FOUNDATION INSPECTION. HOLDOWNS SHALL BE RE-TIGHTENED JUST PRIOR TO COVERING THE WALL FRAMING PLATE WASHERS ARE REQUIRED FOR ALL HOLDOWNS.
- 206. FOR SLAB ON GRADE SUB-GRADE PREPARATION SEE SOILS REPORT.
- 207. FOR VAPOR BARRIER AT INTERIOR SPACES S.A.D. SPECIFICATIONS/DRAWINGS.
- 208. CONCRETE SLAB ON GRADE: 5" THICK, REINFORCED WITH #5 BARS AT 16" O.C. EACH WAY.
- 209. THE BUILDING HAS BEEN DESIGNED TO BE ANCHORED INTO THE BEARING MATERIAL PER THE DESIGN REQUIREMENTS OF ASCE 24-14.
- 210. THE ONLY STRUCTURAL MATERIAL OCCURRING BELOW THE B.F.E. IS REINFORCED CONCRETE, WHICH IS WITHIN THE ACCEPTABLE MATERIALS LIST FOR FLOORS AND WALLS IN TABLE 2 OF THE FEMA TECHNICAL BULLETIN.

**SYMBOLS - FOUNDATION**

- INDICATES CHANGE IN FLOOR ELEVATION
- INDICATES CONCRETE WALL
- INDICATES CONCRETE WALL BELOW
- INDICATES CONCRETE FOOTING
- INDICATES STEPPED FOOTING PER 18/S1.01
- INDICATES CONCRETE GRADE BEAM PER SCHEDULE THIS SHEET
- INDICATES CONCRETE FOOTING PER SCHEDULE THIS SHEET
- INDICATES CONCRETE GRADE BEAM PER SCHEDULE THIS SHEET

CONC. FOOTING SCHEDULE	
MARK	SIZE AND REINFORCEMENT
F3	3'-0" SQUARE x 18" THICK W/ 4-#5 BOTTOM EACH WAY
F4	4'-0" SQUARE x 18" THICK W/ 6-#5 BOTTOM EACH WAY
F5	5'-0" SQUARE x 18" THICK W/ 7-#6 BOTTOM EACH WAY
F6	6'-0" SQUARE x 18" THICK W/ 8-#5 BOTTOM EACH WAY
F7	7'-0" SQUARE x 18" THICK W/ 9-#5 BOTTOM EACH WAY
CF2	2'-0" WIDE x 12" THICK W/ 3-#5 T&B LONG TOP & BOTTOM.

**450 WOOD RIVER**

OWNER:  
**450-490 WOOD RIVER, LLC**  
 ATTN: MATT SCOGGINS  
 P.O. BOX 14001-174  
 KETCHUM, ID 83340

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 TEL: 213.239.9700  
 LFA Job #22777  
 MEP ENGINEER:



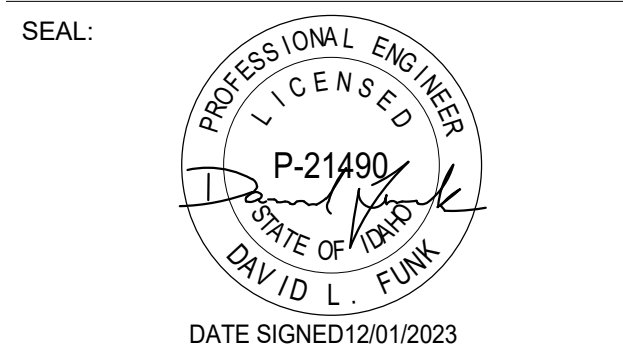
**CONSULTING ENGINEERING SERVICES (CES)**  
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LIGHTING:  
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AV:

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NO	DATE	ISSUE
12/01/2023	PLAN CHECK RESUBMITTAL	
05/05/2023	PLAN CHECK SUBMITTAL	

PROJECT:  
**450 WOOD RIVER**  
 450 WOOD RIVER DRIVE  
 KETCHUM, ID 83340

PROJECT NUMBER  
**2108**

DRAWING TITLE:  
**FOUNDATION/LEVEL 1 PLAN**

DRAWING NUMBER:  
**S-101**

**1 FOUNDATION/LEVEL 1 PLAN**  
 S-101 3/16" = 1'-0"

Attachment D:  
Brockway Technical  
Memo (8/13/23)

Project No. 1575-02-2021

# Technical Narrative in Support of Floodplain Development Plan for 450 Wood River

Prepared for:

450-490 Wood River, LLC  
Ketchum, Idaho

August 18, 2023

For information concerning this report, contact  
Charles G. Brockway, Ph.D., P.E.



CHARLES E. BROCKWAY, PH.D., P.E. (EMERITUS)  
CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON, SUITE 4  
TWIN FALLS, IDAHO 83301

# Technical Narrative in Support of Floodplain Development Plan for 450 Wood River

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Brockway Engineering, PLLC  
August 18, 2023

## A. Existing conditions and hydrology

The subject property is 450 Big Wood Drive, a platted lot within Mary's Place Subdivision in Ketchum, Idaho. The property includes an authorized building envelope, but some of the property is within the effective 100-year floodplain and subject to the pertinent requirements in the City of Ketchum municipal code. A residential structure is proposed to be constructed within the existing building envelope.

A small pond currently exists on both the subject property and on the adjacent lots to the south (440 and 430 Wood River). The pond is a perennial feature that contains water from the high groundwater table, but also receives surface water from a swale originating on 490 Wood River and flowing onto the subject property. Discharge from the pond occurs via an overflow that discharges to a channel that returns to the Big Wood River on 430 Wood River.

The pond is clearly an artificial feature that appears to have been installed in the early 1980s without any water right or other permit. The pond was created by excavating the land and placing the spoils adjacent to the pond on the river side, creating a mound of earth up to three feet in depth relative to the pre-pond existing grade. At the same time, it appears the inlet and outlet channels were created.

The pond is within the 100-year floodplain and will be inundated during extreme floods in the river. However, ordinary natural water supply for the pond is inadequate. The groundwater table is not regularly high enough to reach the overflow and enable flow through the pond. Surface water flow is intermittent and is dependent upon upstream conditions in the marshy areas on 490 Wood River, which fluctuate seasonally according to groundwater levels and levels in the adjacent Big Wood River, which is hydraulically connected with the shallow groundwater. Flow from these areas through the channel onto 450 Wood River varies and has been observed to follow the expected seasonal pattern: low or nonexistent in the late summer, fall, and winter, rising in the spring and early summer as river levels and infiltration increase.

Due to the inadequate water supply, the pond is stagnant and detrimental to the property. In addition, the policy of the Idaho Department of Water Resources is that any pond excavated into shallow groundwater, whether fed from an external source or not, requires a water right. No such right exists for the pond, and due to the moratorium on all new consumptive water rights, obtaining a new appropriation at this time is not reasonably possible. For these reasons, it is proposed to remove the pond in the course of this residential development. To preserve the



conveyance capacity for both ordinary flows and flood flows, the swale from 490 Wood River will be extended to connect to the channel on 440 Wood River that currently returns to the river.

Most of the property is within the 100-year effective floodplain defined by FEMA. Comparing the effective base flood elevations with LiDAR and other topographic data, it was determined that the effective floodplain limit is reasonably accurate. During the 100-year event, most of the land will be subject to shallow overland flow with the exception of the high area on the river side of the pond. This high area is recognized as being above the BFE in the “Draft” flood maps, prepared by FEMA and issued for informational purposes in September 2022 as part of the agency’s comprehensive restudy of the Big Wood River and tributaries. The floodplain limits on the Draft map are similar to those on the effective map.

Portions of the property lie within the defined regulatory floodway. However, no grading or development is proposed within the floodway.

## **B. Proposed project**

The proposed project includes the following elements:

1. **Construction of driveway to allow access to a residence.** This drive will lie wholly outside of the floodplain.
2. **Construction of residence within platted building envelope.** The building footprint will be partially within the floodplain limits. The finished floor elevation will be above the modeled 100-year flood elevations, either Effective or Draft, as described below. Fill within the floodplain will occur to a reasonable extent necessary to construct the residence, and a portion of this fill will be below the 100-year flood elevation.
3. **Removal of the unauthorized legacy pond.** The pond will be filled and graded using on-site excavated material. As noted, this pond has no water right and therefore cannot remain as a feature on the property. In addition, its removal will eliminate the stagnant water and overall aesthetic nuisance.
4. **Enhancement of the existing drainage channel in accordance with the grading shown on the plans.** This swale will have a bottom width of 7 feet, side slope of 4:1 or flatter, and overall slope of 0.7%. The enhanced swale will have an increased conveyance capacity and will provide a portion of the mitigation required for the hydraulic impact analysis and the compensatory storage analysis. The swale will be vegetated in accordance with plans prepared by Field Studio and Sawtooth Environmental. With an assumed roughness coefficient of 0.065, this swale will have a capacity of 68 cfs at a flow depth of 2.0 feet. Benefits of this activity include maintaining and enhancing the natural conveyance regime, providing more natural riparian habitat, and reducing nuisance water to adjacent landowners. This element is pursuant to and in accordance with plat note #7 regarding enhancement plans for relocation of drainage provisions.

Because a portion of the existing pond and proposed swale is located on 430 and 440 Wood River, the owner of these properties will need to concur with the proposed plan and allow construction to occur on his properties. The general plan has been reviewed with the owner and he has indicated concurrence with removing the nuisance pond and ensuring that flood flows are safely directed back to the river. Final concurrence of the specific plan will need to be obtained from the owner prior to commencement of the project construction.

### **C. HEC-RAS model analysis**

HEC-RAS was used to model the existing conditions and the conditions with the proposed project including grading and structures. The purpose of this effort was to establish a baseline model representing existing conditions, and use this model to evaluate the effect of the project including proposed mitigation. Figure 1 shows an overall view of the model study area and cross-sections, and Figures 2a and 2b show close-in views of the project and grading plan. Inputs and assumptions for the model are described below.

#### **C.1. Topographic data**

Data used to develop cross-sections was derived from detailed ground survey and topographic contour mapping created by Galena Engineering for the project, as well as from the 2017 Blaine County LiDAR data. For the most part, the two sources were in close agreement, but where significant differences occurred, the ground shots were assumed to be the more accurate data. One section was created from LiDAR as it was located off the property.

The model geometry upstream and downstream of the project was based on FEMA's draft model, made public in September 2022. New cross-sections representing current ground conditions were inserted, starting with Section 90690.8 as the downstream limit. These sections are shown on the attached map and Table 1.

Since the LiDAR data reflects the water surface rather than the channel bottom in the Big Wood River when the flight was made (which was at low water), the shape of the channel bottom was approximated by reference to the draft model sections and elevations adjusted according to channel slope.

#### **C.1. 100-year peak annual flow**

The "1% annual chance flow" or the 100-year flow is the discharge that forms the basis of modeling for current conditions and post-project conditions. The value in the effective model is 4,740 cfs. In the draft model, FEMA increased this flow to 6,363 cfs. For reasons related to statistical calculations on the stream gauge north of Ketchum, this value is not correct. Nevertheless, FEMA is continuing to use it for its analyses and therefore it was used for this project because the City of Ketchum has elected to use the draft maps for regulatory purposes.

In the course of developing the model for this project, it was discovered that the discharge used in FEMA's draft model is 6,879 cfs, which is incorrect for this reach. According to the

hydrology report prepared for FEMA by the U.S. Army Corps of Engineers, the 6,879 cfs value is supposed to be the discharge below Trail Creek. The discharge from the Warm Springs confluence downstream to Trail Creek is supposed to be 6,363 cfs. This is discussed further in a memo submitted to Blaine County and the City of Ketchum dated March 31, 2023.

**Table 1. Cross-sections from upstream to downstream**

River Station in FEMA model	Section No.	Remarks
93417.33	16	Section in FEMA draft model
92671.74	15.5	Inserted section from LiDAR
92471.74	15	Section in FEMA draft model
92232	14	Inserted section using ground shots and LiDAR
92123	13.5	Inserted section using ground shots and LiDAR
92065	13	Inserted section using ground shots and LiDAR. Generally aligns with access roadway, used for upstream section of existing culvert on 490
92021		Existing 16" culvert on 490
91977	12.5	Inserted section using ground shots and LiDAR. Used for downstream section of culvert on 490
91945	12	Inserted section using ground shots and LiDAR
91911	11.8	Inserted section using ground shots and LiDAR
91836	11.5	Near north boundary of 450. Inserted section using ground shots and LiDAR. Existing house to north blocked out.
91755	11.2	Inserted section using ground shots and LiDAR. Section through pond on 450, existing house, and new house.
91715	11	Inserted section using ground shots and LiDAR. Section through pond on 450, existing house, and new house.
91640	10.5	Inserted section using ground shots and LiDAR. Section through lower end of pond on 450.
91565	10	Inserted section using ground shots and LiDAR.
91427	9	Section in FEMA draft model
91103.24	8	Section in FEMA draft model
90690.8	7	Section in FEMA draft model

Rather than compound error upon error, a value of 6,363 cfs was used for the modeling of this project even though it differs from the FEMA model. FEMA has been notified that its model contains an error and the base flood elevations and floodplain delineation in the reach from Warm Springs to Trail Creek should be recomputed. Base flood elevations on the draft maps in this reach should not be relied upon.

## **C.2. Starting downstream WSE**

The downstream water surface elevation at Section 7 (RS 90690.8) was set by the normal depth method with a slope of 0.005 ft/ft.

## **C.3. Roughness coefficients**

Roughness coefficients for the new cross sections developed for this project were 0.04 for the channel and 0.06 to 0.10 for the overbanks, horizontally varying depending on the extent and nature of vegetation. For sections 10 through 13, the roughness coefficient was varied based on the 2022 aerial photo to correspond to areas of more or less vegetative cover. Overbank roughness was set to 0.06 or 0.08, and channel roughness was set to 0.04 or 0.06. For the post-project model, overbank coefficients were adjusted to reflect the fact that the regrading and channel improvements will slightly lower the roughness coefficient in some areas.

The FEMA draft model cross-sections generally have coefficients of 0.035 for the channel and 0.1 or 0.12 for overbanks. The channel coefficient is reasonable but an overbank coefficient of 0.12 is too high. The standard reference for roughness coefficients (Chow, 1959) indicates that a value of 0.12 would be characteristic of very dense brush, heavy tree growth, and downed trees. Nevertheless, these values were used where the draft model sections were directly used, i.e. Sections 7-9 and 15-16.

## **C.4. Ineffective flow**

The ineffective flow option was used in the left overbank of section 13.5 to characterize the backwater area above the culvert, and at the upstream culvert section 13.

## **C.5. Culvert parameters**

The culvert and roadway on 490 were modeled with entrance projecting from fill with an entrance loss coefficient of 0.9, an exit loss coefficient of 1.0, and a roughness coefficient of 0.022. The top of existing roadway is based on surveyed elevations. Ineffective flow areas were set, but do not come into play since the flow overtops the roadway.

The deck width in the direction of flow was computed as the average width of the roadway over which water flows. The standard weir coefficient of 2.6 was used for overtopping flow. Similarly, distances to upstream and downstream cross-sections represent averages for the culvert area.

## **C.6. Channel regrading**

Regrading of the drainage swale was modeled by modifying all cross-sections where the swale is changing. The roughness coefficient for regraded swale areas was generally 0.06 to simulate the improved condition; however the proposed backyard fill area with low-growing grasses was set to 0.04.

### **C.7. Building obstruction**

The existing structures and the proposed residential construction was modeled with the HEC-RAS blocked obstruction feature, and the adjacent grade was modeled by modifying the cross-sections to reflect the proposed fill around the building to a grade of 5767.0 feet. Since the building and associated fill was modeled as a complete obstruction, this adequately represents the proposed slab-on-grade construction.

### **C.8. Mitigation**

Mitigation for project impacts takes two forms: compensatory storage (Section D), and mitigation of hydraulic impacts to the extent feasible. Hydraulic impacts arise due to fill or obstruction of flow, reducing the overall section conveyance and resulting increase in modeled water elevation during the 100-year event. In this case, the construction of the swale between the residence and the river provide both compensatory storage mitigation and hydraulic mitigation. The resulting net effect is discussed below.

### **C.9. Model results**

The current conditions model results are reasonably consistent with the draft model, but not exactly the same due to the reasons discussed above. The new cross-sections better describe the channel changes and deposition that have occurred since the effective model development, and provide closer spacing in order to model the proposed grading plan. The baseline model is more detailed and simulates reality better than the draft model, and was deemed to be a suitable current-conditions model from which to evaluate changes due to proposed project grading.

With the building and grading plan as proposed, which includes the mitigation described above, the computed water surface elevations are either unchanged or slightly lower than for the existing conditions scenario (Table 2). The primary change occurs at Section 11.5, where the model predicts an increase of 0.19 feet, and at Section 11.2 where the modeled increase is 0.04 feet. These increases could not be eliminated with reasonable grading. The project is not within the regulatory floodway and subject to FEMA's "no-rise" requirement. The impact should be acceptable as it is 1) highly localized, 2) a necessary consequence of constructing a residence on an authorized, platted building envelope, and 3) offset by the significant restorative benefits to the riparian area, much of which is in poor condition.

No water is predicted to flow over the driveway access.

**Table 2. Model-computed water surface elevations.**

Section	River Sta	Water surface elevation (ft)			FEMA Draft 2022*
		Existing Conditions	With Project	Change	
16	93417.33	5776.17	5776.17	0.00	5777.63
15.5	92671.74	5773.22	5773.22	0.00	
15	92471.74	5770.90	5770.90	0.00	5770.67
14	92232	5769.40	5769.40	0.00	
13.5	92123	5768.94	5768.94	0.00	
13	92065	5767.85	5767.85	0.00	
Culvert	92021				
12.5	91977	5767.58	5767.58	0.00	
12	91945	5766.73	5766.74	0.02	
11.8	91911	5766.80	5766.84	0.04	
11.5	91836	5766.34	5766.53	0.19	5766.71
11.2	91755	5766.14	5766.17	0.03	
11	91715	5765.77	5765.69	-0.08	
10.5	91640	5765.40	5765.31	-0.09	
10	91565	5764.98	5765.00	0.02	
9	91427	5764.80	5764.80	0.00	
8	91103.24	5761.89	5761.89	0.00	5762.08
7	90690.8	5759.68	5759.68	0.00	5761.33

\* Shown for information only, not comparable to project modeling since incorrect discharge was used in FEMA model.

#### **D. Compensatory storage and fill mitigation**

Because of the City’s requirement for 1-for-1 compensatory storage, the volumes of cut and fill within the floodplain and below the base flood were balanced to ensure no loss of floodplain storage. Several factors were considered in making this calculation:

1. The gross volumes of cut and fill were based on the existing cross-sections and proposed project cross sections utilized for the hydraulic modeling.
2. Volumes were calculated for areas above the natural grade and below the model-calculated base flood elevation for the proposed conditions.
3. Calculating fill above natural grade is complicated by the presence of an unauthorized pond that must be removed in any event. Restoring the land to the original condition puts right what should not have been done. It seems reasonable to view this as a necessary restoration of natural conditions, and then the restored natural grade will be used as the baseline for the

compensatory storage analysis for the residential development.

4. Based on current guidance from the city, it is understood that the fill associated with a residential foundation, including both within the footprint and the fill needed to create a reasonable grading away from the foundation, will not be counted in the compensatory storage analysis. A definition of fill associated with “reasonable grading” away from the foundation is proposed as follows: 5% slope for 10 feet away from the foundation (based on the IRC), and a 4:1 slope further away from the foundation until intersection with natural grade. This definition may not be universally applicable, but appears to give reasonable results in this case. The foundation fill volume based on this criteria and that is also below the BFE was subtracted from the gross fill.

The cross-sectional areas of gross cut, gross fill, and reasonable associated foundation fill are illustrated on Figure 3, and calculations are shown in Table 3. Note that the distances between sections in Table 3 are not necessarily the same as those in the model, because the modeling represents an average for the entire section whereas the cut/fill calculations are specific to a small area. The computed cut volume is 436 cy and the fill volume accounting for reasonable associated house grading is 250 cy, indicating that the compensatory storage requirement can be met.

**Table 3. Cut and fill balance below calculated post-project BFE.**

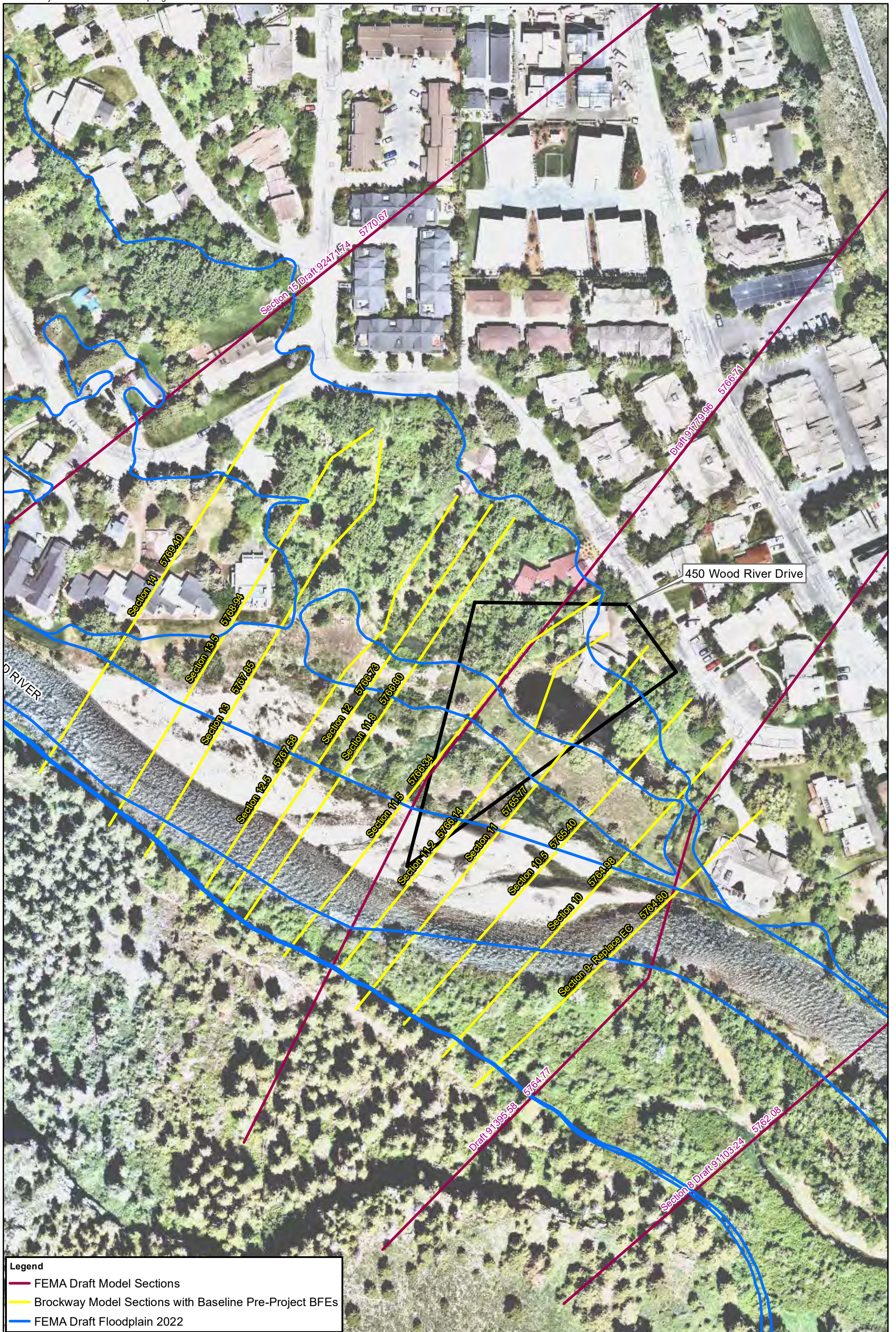
Section	Station (ft)	Avg dist between Sections (ft)	Cut Area (ft <sup>2</sup> )	Fill Area (ft <sup>2</sup> )	Delta V (cy)		Associated House Fill*	
					Cut	Fill	Area (ft <sup>2</sup> )	Delta V (cy)
Start grading (prop line)	0		0.0	0.0			0	
11.5	40	40	115.4	0.0	57.0	0.0	0.0	0.0
11.2	106	66	16.9	121.2	143.8	98.8	31.3	25.5
11	152	46	1.5	28.1	13.3	117.9	13.7	37.3
10.5	227	75	42.4	25.6	48.0	74.6	0.0	12.7
10	302	75	71.7	0.0	156.7	23.7	0.0	0.0
End grading - 9.5	334	32	0.0	0.0	16.8	10.1	0.0	0.0
Subtotals					435.6	325.1		75.5
TOTAL GROSS CUT					435.6	cy		
TOTAL GROSS FILL					325.1	cy		
ASSOCIATED HOUSE FILL					75.5	cy		
NET FILL (gross fill minus associated house fill)					249.6	cy		
<b>NET CUT-FILL BALANCE</b>					<b>186.0</b>	<b>cy</b>		

\* 5% slope for 10 feet away from the foundation (based on the IRC), and a 4:1 slope further away from the foundation until intersection with natural grade

## **E. Wetland and vegetation plan**

Sawtooth Environmental has prepared a Joint Application for Permits, including a plan for wetlands management to meet the requirements of the Corps of Engineers. The plan includes a revegetation plan for the project, including site preparation and planting of native species appropriate for riparian and wetland environments. This plan will be implemented in conjunction with coordinated plans prepared by the landscape architect.





**Legend**

- FEMA Draft Model Sections
- Brockway Model Sections with Baseline Pre-Project BFEs
- FEMA Draft Floodplain 2022

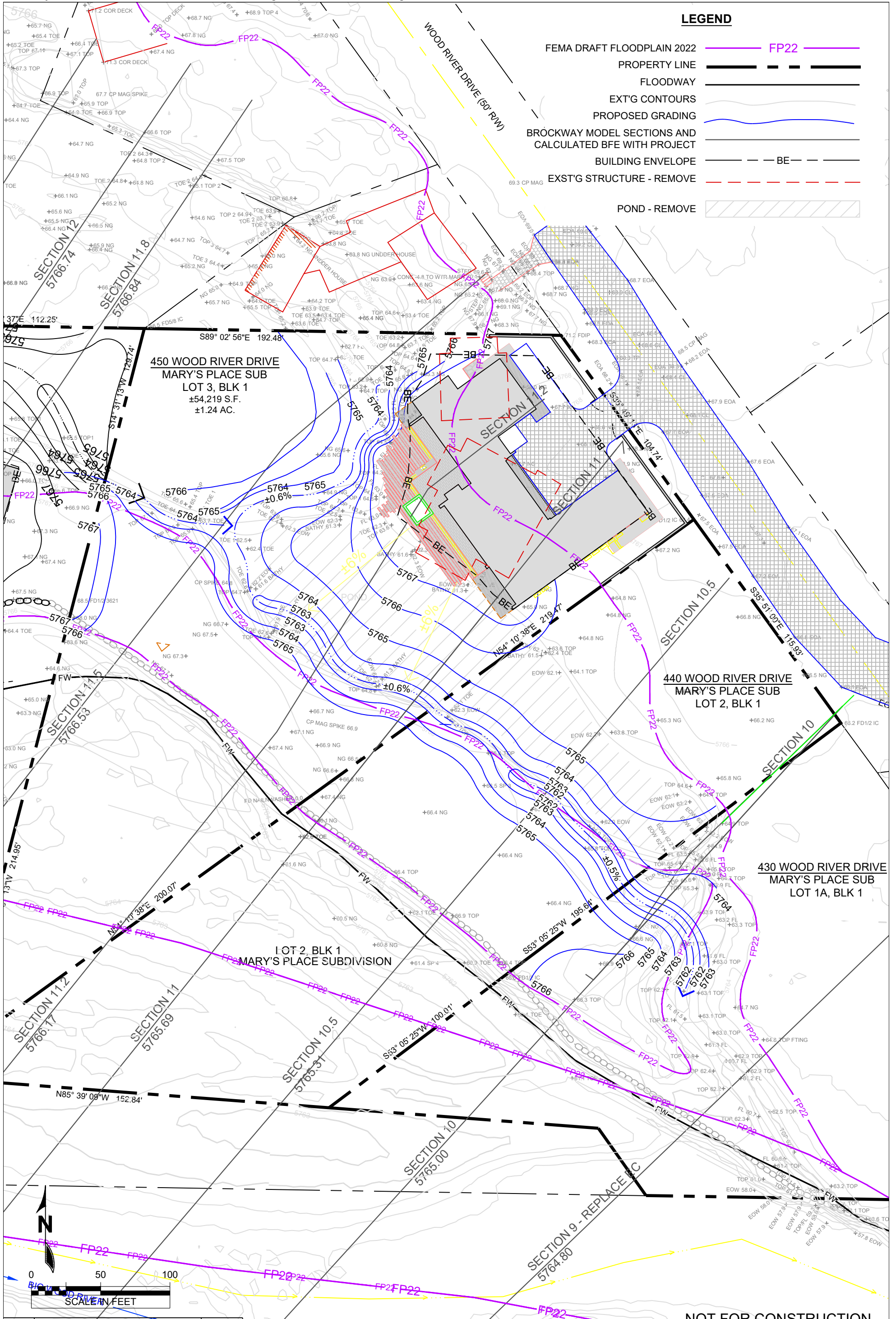
1 in = 110 ft

**FIGURE 1**  
 CITY OF KETCHUM- FLOODPLAIN DEVELOPMENT PERMIT  
 450 WOOD RIVER

BROCKWAY ENGINEERING, PLLC.  
EMP - Date: 8/15/2023

2022 BLAINE COUNTY NEARMAP AERIAL





**LEGEND**

- FEMA DRAFT FLOODPLAIN 2022 — FP22 —
- PROPERTY LINE
- FLOODWAY
- EXT'G CONTOURS
- PROPOSED GRADING
- BROCKWAY MODEL SECTIONS AND CALCULATED BFE WITH PROJECT
- BUILDING ENVELOPE  BE
- EXST'G STRUCTURE - REMOVE
- POND - REMOVE

**450 WOOD RIVER DRIVE**  
**MARY'S PLACE SUB**  
**LOT 3, BLK 1**  
 ±54,219 S.F.  
 ±1.24 AC.

**440 WOOD RIVER DRIVE**  
**MARY'S PLACE SUB**  
**LOT 2, BLK 1**

**430 WOOD RIVER DRIVE**  
**MARY'S PLACE SUB**  
**LOT 1A, BLK 1**

**LOT 2, BLK 1**  
**MARY'S PLACE SUBDIVISION**

**NOT FOR CONSTRUCTION**

REV	ISSUE FOR PERMITTING DESCRIPTION	DATE
A	ISSUE FOR PERMITTING	8/15/2023

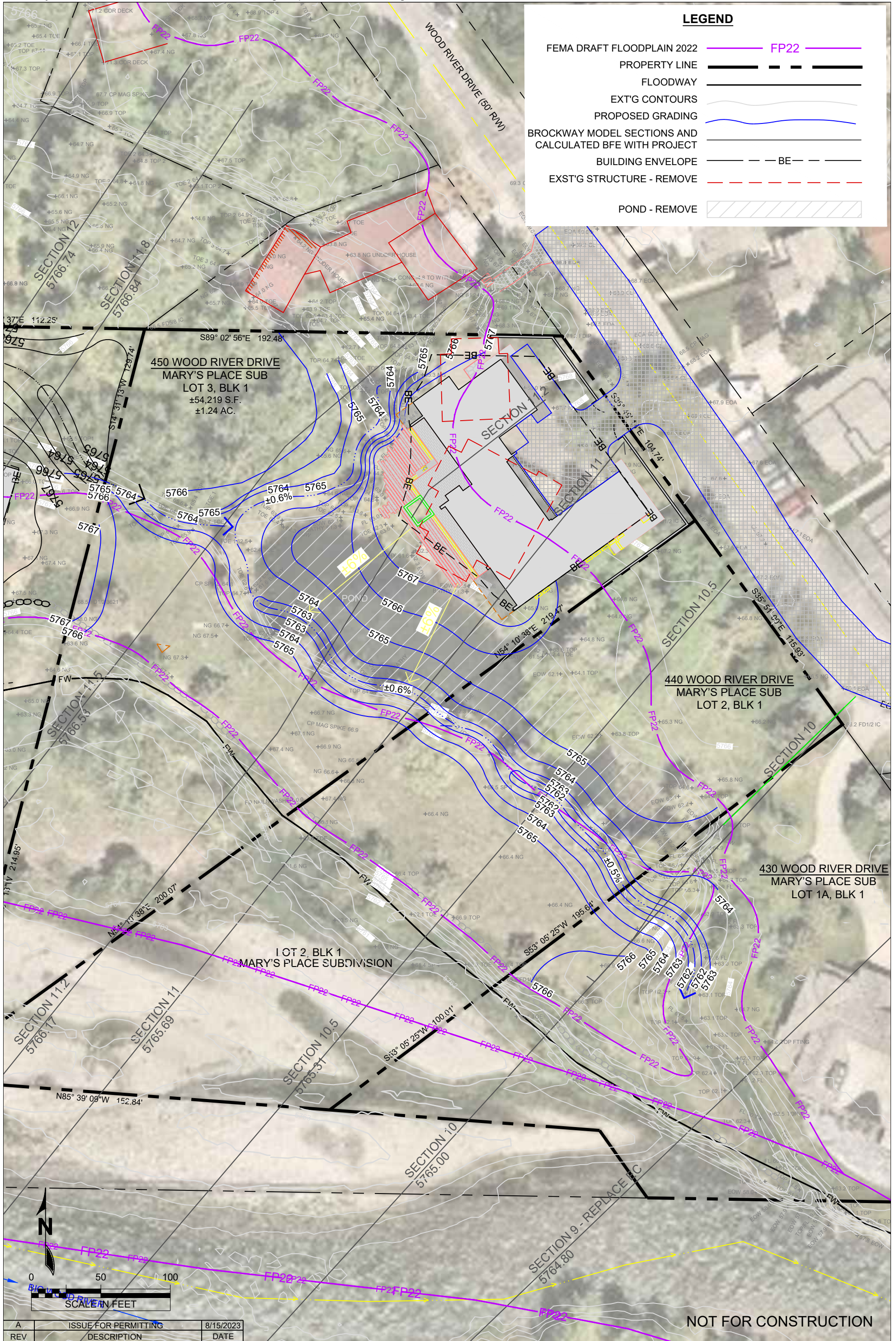
THIS DRAWING HAS BEEN PREPARED BY BROCKWAY ENGINEERING, PLLC FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.

SCALE AS SHOWN  
 (1" = 17.50' ON 11")  
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 CGB  
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 2016 NORTH WASHINGTON, SUITE 4  
 TWIN FALLS ID, 83301  
 (208) 736-8543

**FLOODPLAIN DEVELOPMENT PERMIT**  
**450 WOOD RIVER**  
**FIGURE 2. SITE PLAN, PROJECT ELEMENTS WITH GRADING.**

PROJECT #	1575-01-2021
DWG #	1
REV	A



**LEGEND**

- FEMA DRAFT FLOODPLAIN 2022 — FP22 —
- PROPERTY LINE
- FLOODWAY
- EXT'G CONTOURS
- PROPOSED GRADING
- BROCKWAY MODEL SECTIONS AND CALCULATED BFE WITH PROJECT
- BUILDING ENVELOPE  BE
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LOT 1A, BLK 1

LOT 2, BLK 1  
MARY'S PLACE SUBDIVISION

**NOT FOR CONSTRUCTION**

REV	DESCRIPTION	DATE
A	ISSUE FOR PERMITTING	8/15/2023

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**BROCKWAY ENGINEERING, PLLC**  
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**FLOODPLAIN DEVELOPMENT PERMIT**  
450 WOOD RIVER  
FIGURE 2. SITE PLAN, PROJECT ELEMENTS WITH GRADING.

PROJECT # 1575-01-2021
DWG # 1
REV A

**Appendix A**  
**HEC-RAS Output and Cross-Sections**

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# Presidio Vista - 450 Wood River HEC-RAS Model Output

8/15/2023

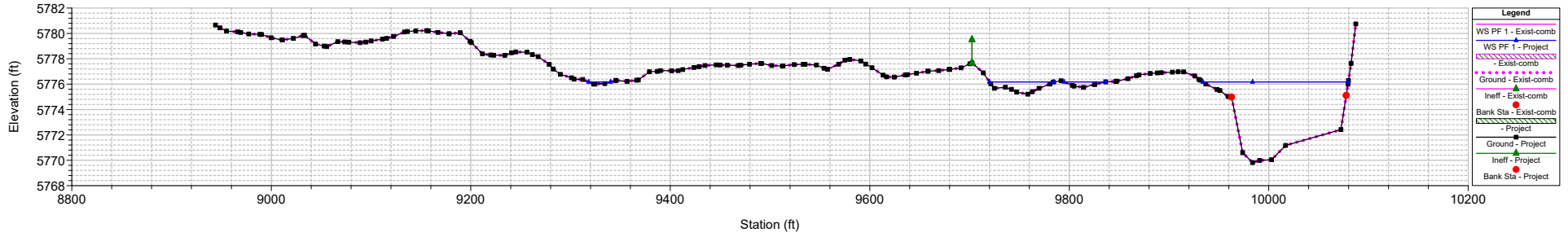
## BASELINE EXISTING CONDITIONS

Sec No	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)
16	Reach-1	93417.33	PF 1	6363	5769.82	5776.17	5776.17	5778.2	0.009273	11.49	612.51	274.18
15.5	Reach-1	92671.74	PF 1	6363	5765	5773.22	5771.45	5773.86	0.002402	6.79	1516.95	550.9
15	Reach-1	92471.74	PF 1	6363	5763.7	5770.90	5770.38	5772.95	0.00722	11.54	611.6	554.57
14	Reach-1	92232	PF 1	6363	5762.2	5769.40	5768.91	5770.61	0.009666	8.9	775.68	313.54
13.5	Reach-1	92123	PF 1	6363	5761.6	5768.94	5768.00	5769.62	0.006205	6.74	1036.11	494.29
13	Reach-1	92065	PF 1	6363	5761.3	5767.85	5767.85	5769.02	0.016779	8.82	804.5	413.79
	Reach-1	92021		Culvert								
12.5	Reach-1	91977	PF 1	6363	5760.4	5767.58	5766.42	5768.08	0.004349	5.81	1312.41	534.71
12	Reach-1	91945	PF 1	6363	5760	5766.73	5766.73	5767.8	0.012563	8.52	856.43	408.89
11.8	Reach-1	91911	PF 1	6363	5759.7	5766.80	5766.02	5767.32	0.006427	6.1	1297.81	525.33
11.5	Reach-1	91836	PF 1	6363	5758.42	5766.34	5765.45	5766.86	0.005793	5.94	1211.62	463.33
11.2	Reach-1	91755	PF 1	6363	5757.8	5766.14	5764.60	5766.47	0.003453	4.96	1471.74	438.42
11	Reach-1	91715	PF 1	6363	5757.02	5765.77	5764.71	5766.27	0.005038	6.03	1232.67	407.42
10.5	Reach-1	91640	PF 1	6363	5757	5765.40	5764.23	5765.91	0.004718	6.05	1275.71	407.36
10	Reach-1	91565	PF 1	6363	5756.85	5764.98	5763.61	5765.61	0.003559	6.95	1172.05	351.6
9	Reach-1	91427	PF 1	6363	5756.85	5764.80	5762.28	5765.37	0.002357	6.29	1324.93	373.55
8	Reach-1	91103.24	PF 1	6363	5755.22	5761.89	5761.73	5763.89	0.009221	11.61	730.72	275.48
7	Reach-1	90690.8	PF 1	6363	5752.51	5759.68	5758.64	5760.93	0.005003	9.02	772.47	374.2

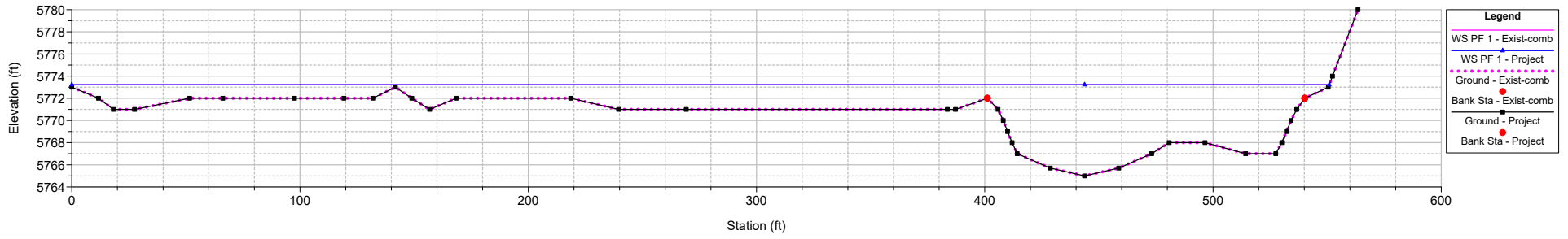
## WITH PROJECT

Sec No	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)
16	Reach-1	93417.33	PF 1	6363	5769.82	5776.17	5776.173	5778.2	0.009273	11.49	612.51	274.18
15.5	Reach-1	92671.74	PF 1	6363	5765	5773.22	5771.454	5773.86	0.002402	6.79	1516.95	550.9
15	Reach-1	92471.74	PF 1	6363	5763.7	5770.90	5770.378	5772.95	0.00722	11.54	611.6	554.57
14	Reach-1	92232	PF 1	6363	5762.2	5769.40	5768.914	5770.61	0.009666	8.9	775.68	313.54
13.5	Reach-1	92123	PF 1	6363	5761.6	5768.94	5767.999	5769.62	0.006208	6.74	1035.93	494.29
13	Reach-1	92065	PF 1	6363	5761.3	5767.85	5767.849	5769.02	0.016779	8.82	804.5	413.79
	Reach-1	92021		Culvert								
12.5	Reach-1	91977	PF 1	6363	5760.4	5767.58	5766.424	5768.08	0.004363	5.82	1310.58	533.92
12	Reach-1	91945	PF 1	6363	5760	5766.74	5766.727	5767.8	0.012352	8.46	862.63	409.9
11.8	Reach-1	91911	PF 1	6363	5759.7	5766.84	5766.024	5767.34	0.006167	6.02	1317.57	526.07
11.5	Reach-1	91836	PF 1	6363	5758.42	5766.53	5765.362	5766.93	0.004269	5.29	1418.52	506.29
11.2	Reach-1	91755	PF 1	6363	5757.8	5766.17	5764.953	5766.6	0.004155	5.47	1288.95	413.29
11	Reach-1	91715	PF 1	6363	5757.02	5765.69	5764.884	5766.35	0.006463	6.73	1054.53	375.26
10.5	Reach-1	91640	PF 1	6363	5757	5765.31	5764.322	5765.9	0.005422	6.39	1184.45	420.2
10	Reach-1	91565	PF 1	6363	5756.85	5765.00	5763.632	5765.59	0.003411	6.82	1241.27	393.78
9	Reach-1	91427	PF 1	6363	5756.85	5764.80	5762.283	5765.37	0.002357	6.29	1324.93	373.55
8	Reach-1	91103.24	PF 1	6363	5755.22	5761.89	5761.734	5763.89	0.009221	11.61	730.72	275.48
7	Reach-1	90690.8	PF 1	6363	5752.51	5759.68	5758.641	5760.93	0.005003	9.02	772.47	374.2

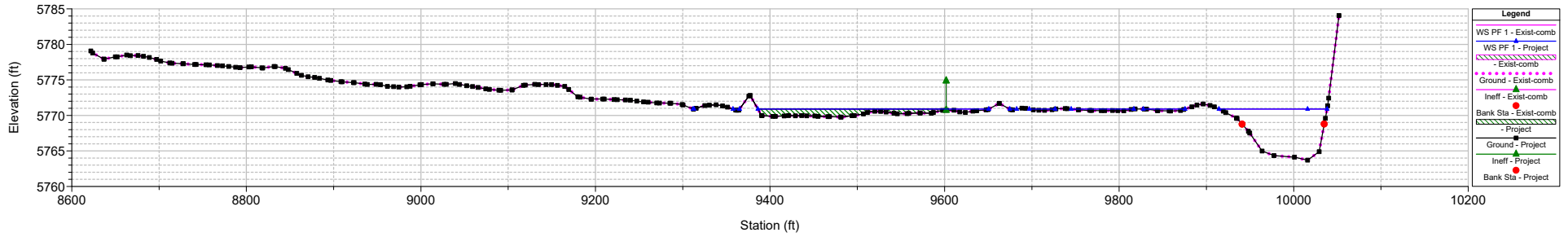
Presidio450 Plan: 1) Project 2) Exist-comb  
 RS = 93417.33 Section 16 / From draft model



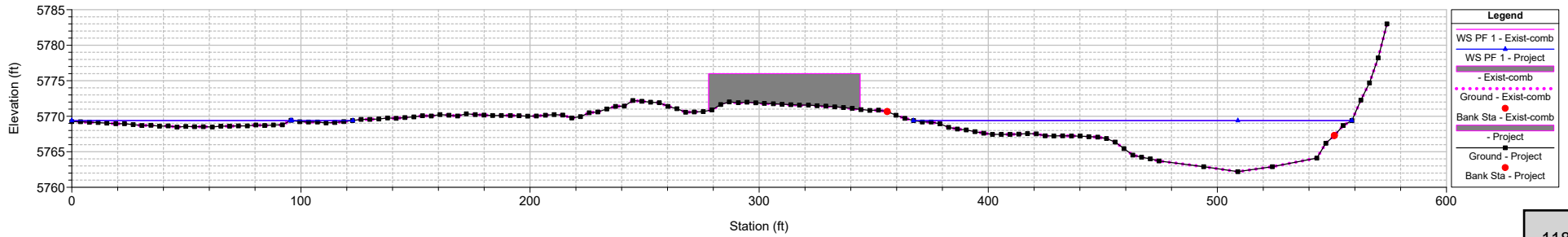
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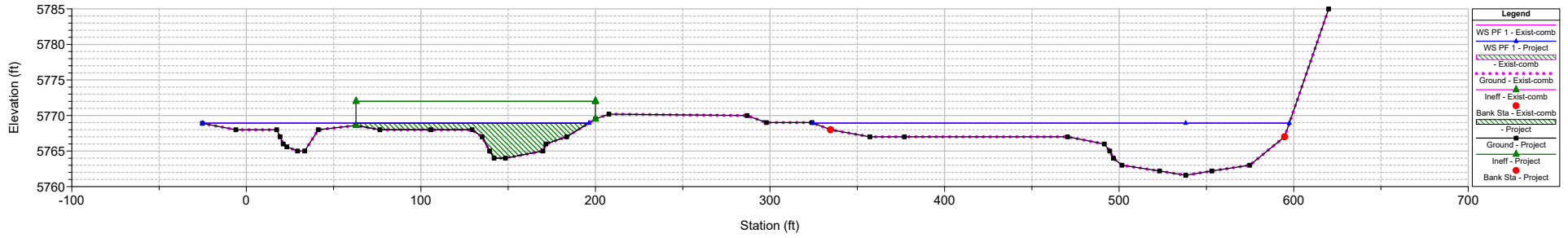
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 RS = 92471.74 Section 15 / From draft model



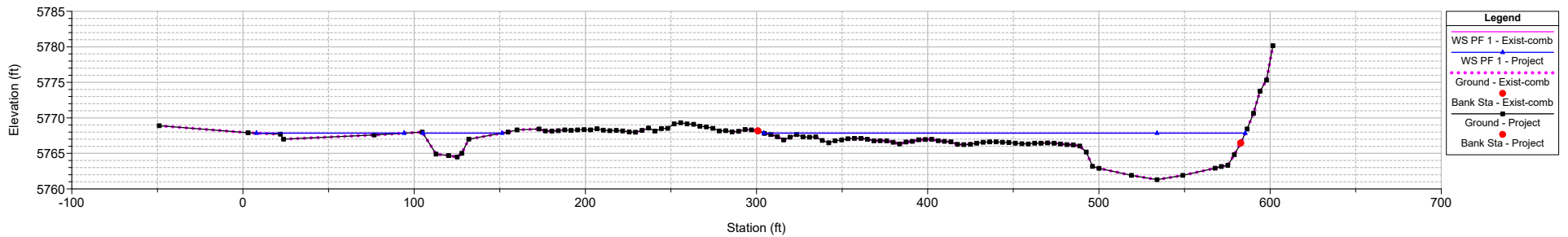
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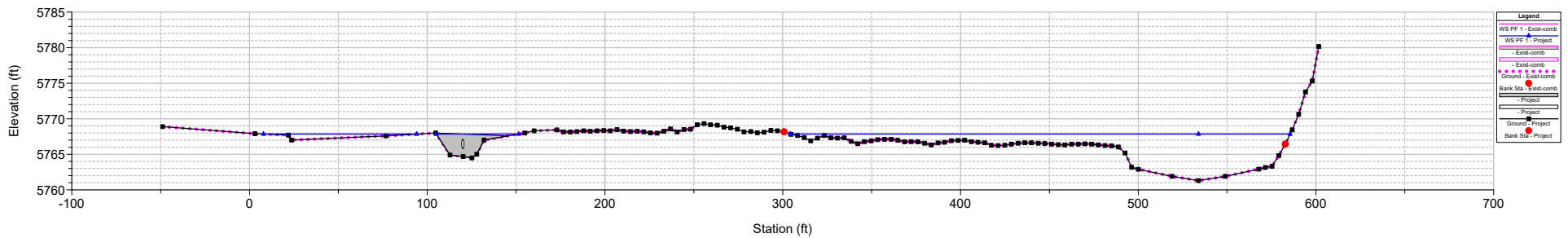
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RS = 92123 New Section 13.5



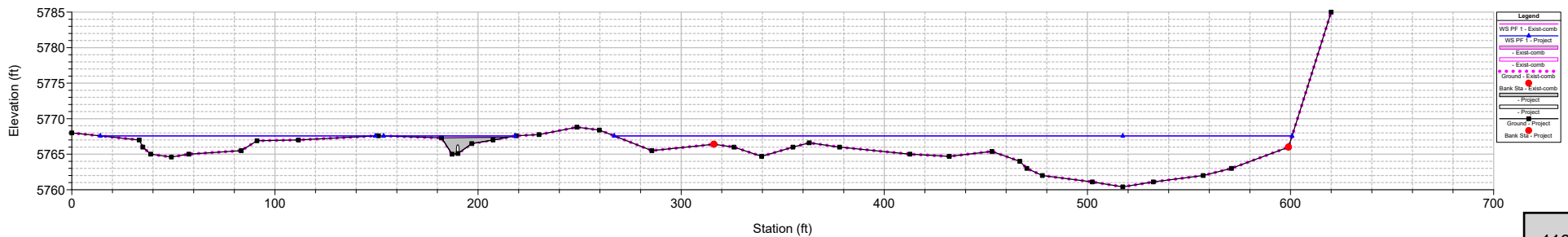
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RS = 92065 New Section 13



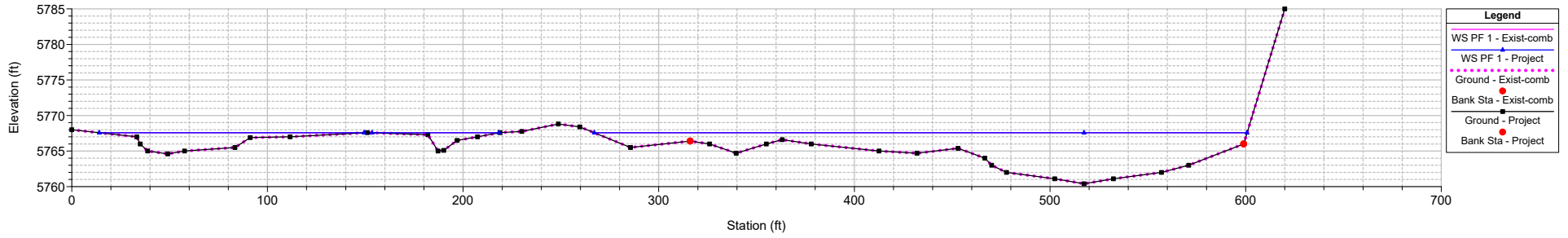
Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 92021 Culv



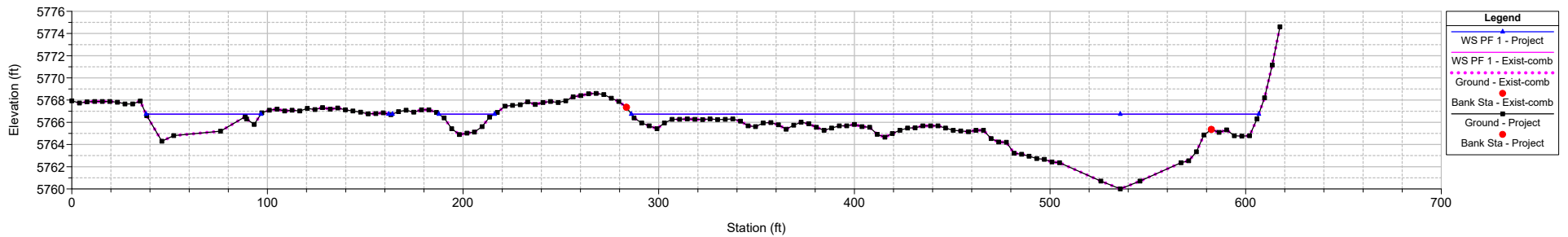
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RS = 92021 Culv



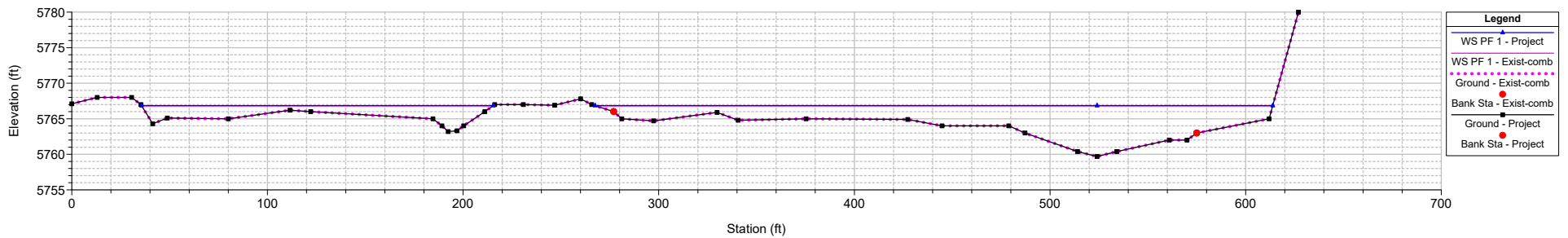
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RS = 91977 New Section 12.5



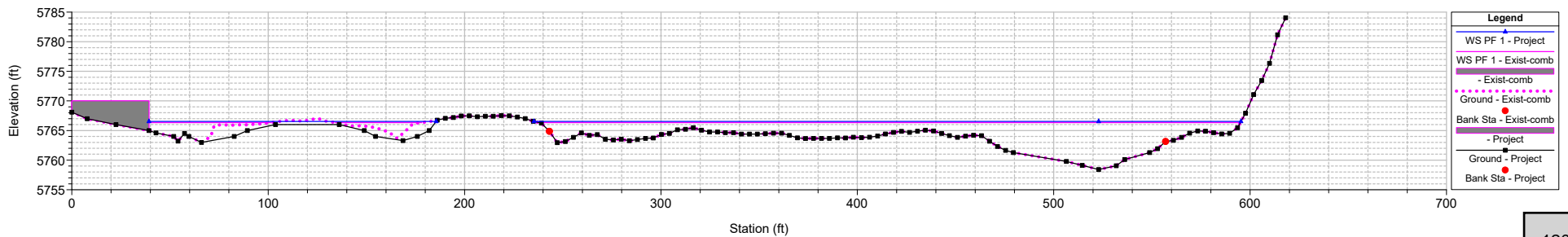
Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 91945 New Section 12



Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 91911 Section 11.8

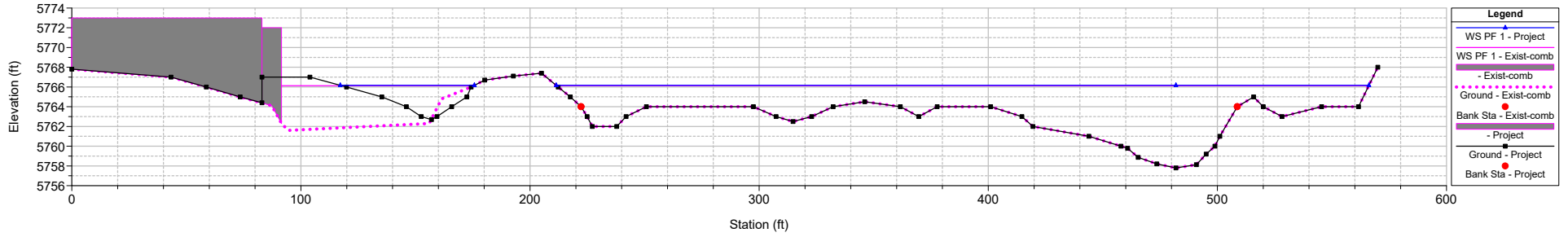


Presidio450 Plan: 1) Project 2) Exist-comb  
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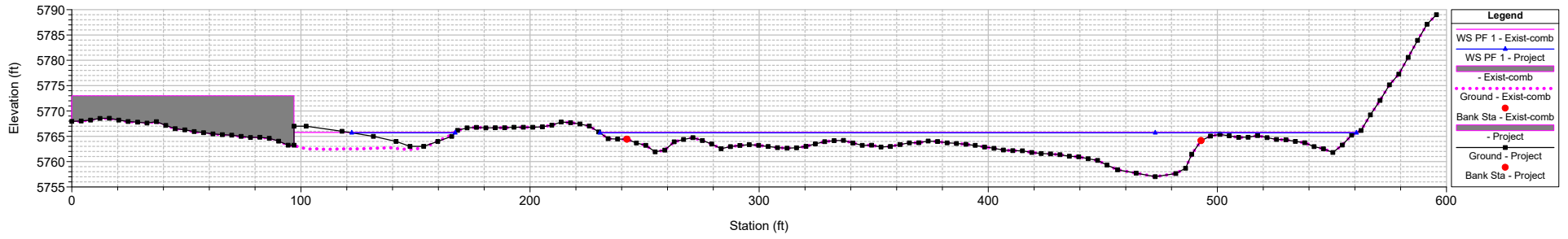




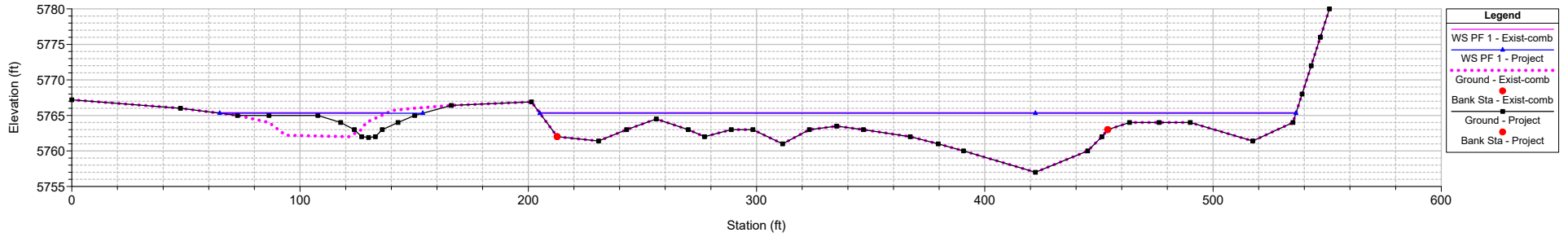
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RS = 91755 Section 11.2



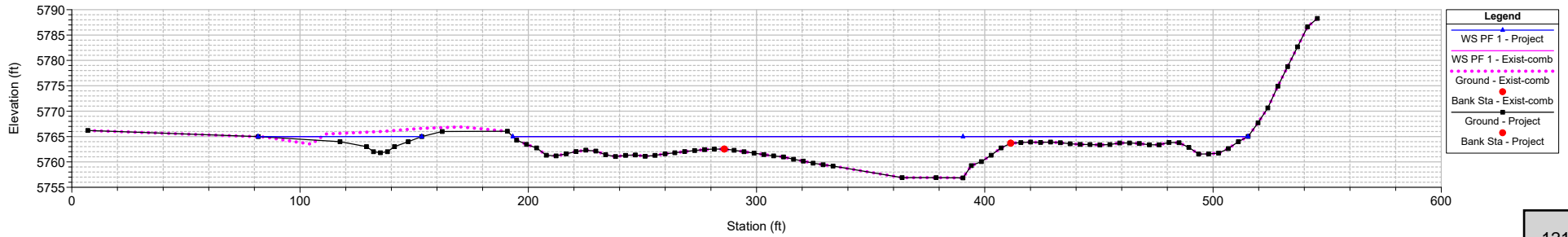
Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 91715 New Section 11



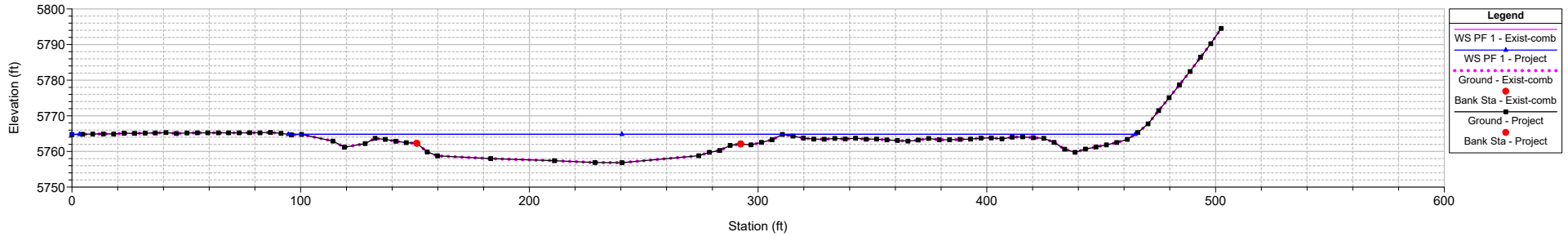
Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 91640 Section 10.5



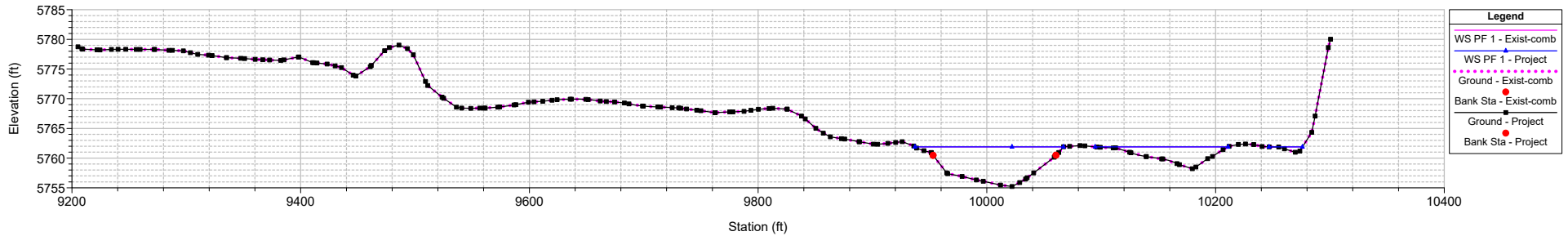
Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 91565 New Section 10



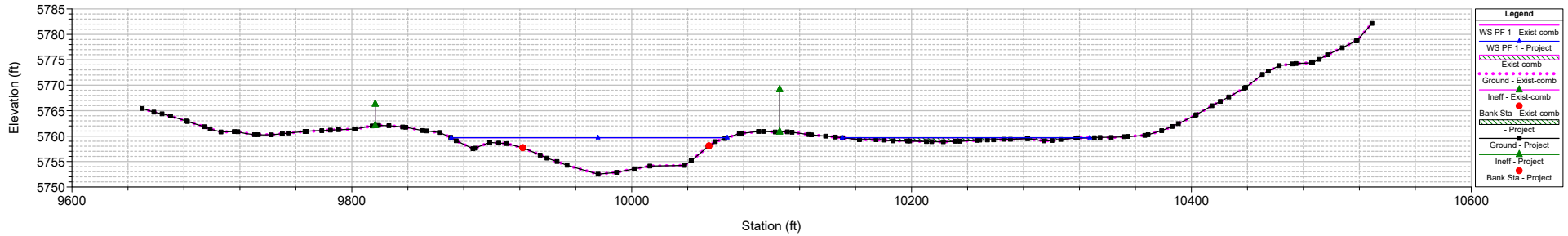
Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 91427 New Section 9



Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 91103.24 Section 8 / From draft model



Presidio450 Plan: 1) Project 2) Exist-comb  
RS = 90690.80 Section 7 / From draft model



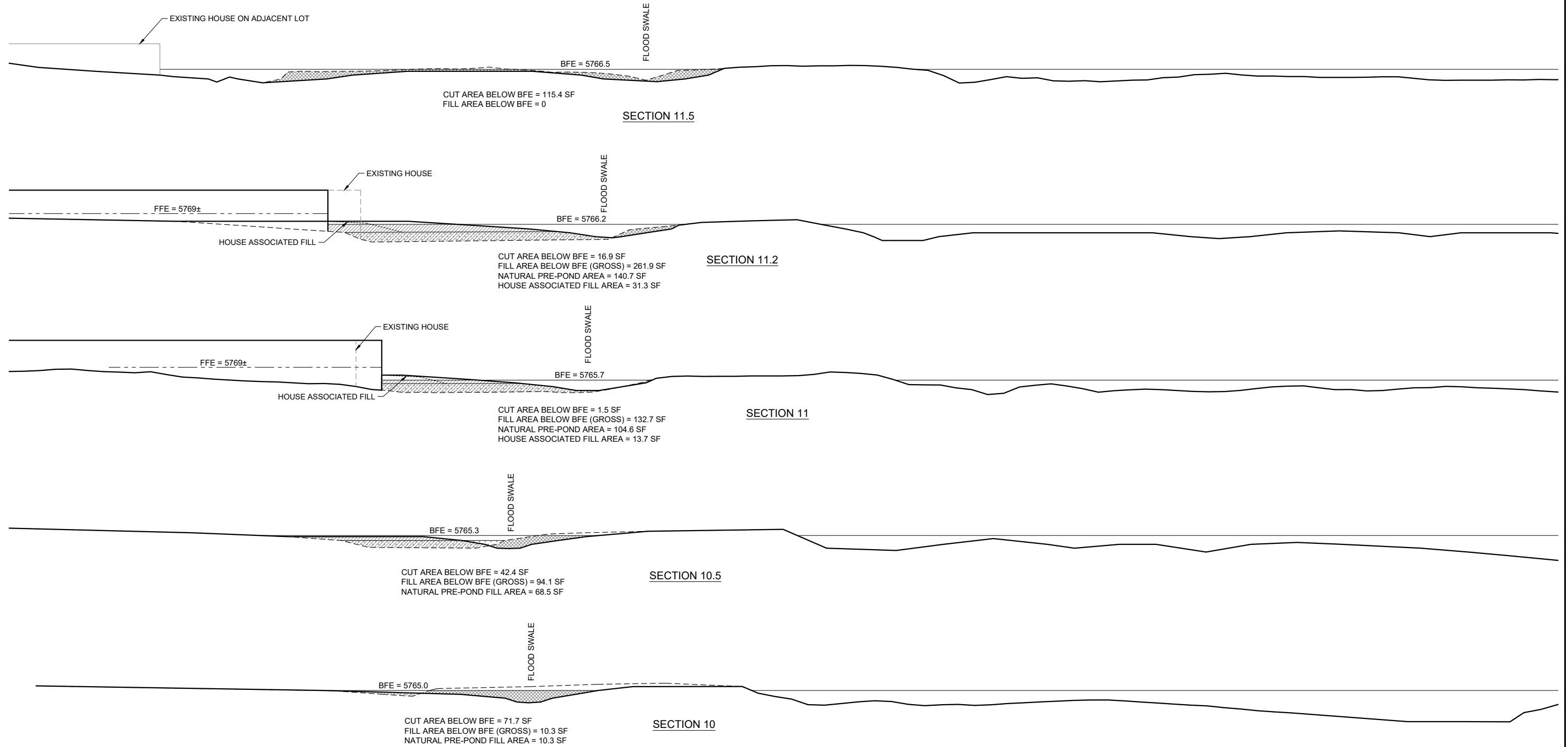
**Appendix B**  
**Cut-Fill Analysis**

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- EXISTING GRADE
- PROJECT GRADE
- BASELINE BFE CALCULATED
- ▨ FILL BELOW BFE
- ▩ CUT BELOW BFE
- ▧ ADDITIONAL CUT RIVER SIDE
- ▤ ESTIMATED PRE-POND NATURAL

# CUT/FILL ANALYSIS - 450 WOOD RIVER

BFE = COMBINED FLOW ANALYSIS, PROPOSED CONDITIONS MODEL 8/10/2023  
 HOUSE IN EXISTING BUILDING ENVELOPE, POND FILL, SWALE ADDED



THIS DRAWING HAS BEEN PREPARED BY BROCKWAY ENGINEERING, PLLC. FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.

REV	DESCRIPTION	DATE	APPD.
A	HOUSE IN EXISTING BLDG ENVELOPE	8/15/2023	

DESIGNED BY CGB	DRAFTED BY CGB
NO SCALE	

**BROCKWAY ENGINEERING, PLLC.**  
 HYDRAULICS - HYDROLOGY - WATER RESOURCES  
 2016 NORTH WASHINGTON, SUITE 4  
 TWIN FALLS, ID. 83301  
 (208) 736-8543

**450 WOOD RIVER  
 FLOODPLAIN DEVELOPMENT PERMIT  
 CUT AND FILL AREAS BELOW CALCULATED  
 BFE (100-YEAR FLOW)**

PROJECT # 1575-01-2021	REV #
DWG #	124
FIGURE 3	

## Analysis of Cut and Fill Volume Below BFE

### Pre-Pond Natural Baseline

450 standalone project

BFE calculated with PROPOSED CONDITIONS model

Volumes calculated using frustum formula

CGB 8/15/2023

Section	Station	Avg dist between sections	Cut Area (ft2)	Fill Area (ft2)	Delta V (cy)		Associated house fill*	
					Cut	Fill	Area (ft2)	Delta V
Start grading (prop line)	0		0.0	0.0			0	
11.5	40	40	115.4	0.0	57.0	0.0	0.0	0.0
11.2	106	66	16.9	121.2	143.8	98.8	31.3	25.5
11	152	46	1.5	28.1	13.3	117.9	13.7	37.3
10.5	227	75	42.4	25.6	48.0	74.6	0.0	12.7
10	302	75	71.7	0.0	156.7	23.7	0.0	0.0
End grading - 9.5	334	32	0.0	0.0	16.8	10.1	0.0	0.0
Totals					435.6	325.1		75.5

Total gross cut	435.6 cy
Total gross fill	325.1 cy
Associated house fill	75.5 cy
Net fill (gross minus associated house fill)	249.6 cy
<b>Net cut-fill balance excluding associated house fill</b>	<b>186.0 cy</b>

Attachment E:  
Brockway Technical  
Memo (3/8/24)



# Technical Memo

**To:** City of Ketchum  
**From:** Charles G. Brockway, P.E.  
**Cc:**  
**Date:** March 8, 2024  
**Re:** Additional technical information for 450 Wood River Drive Floodplain Development Permit Application



This memo provides additional information in response to a memo from Harmony Design and Engineering dated January 11, 2024, and in response to a comment letter from the City of Ketchum planning staff dated January 22, 2024, Floodplain Development Review Comments, Items #1 and #7.

## A. Response to Harmony memo.

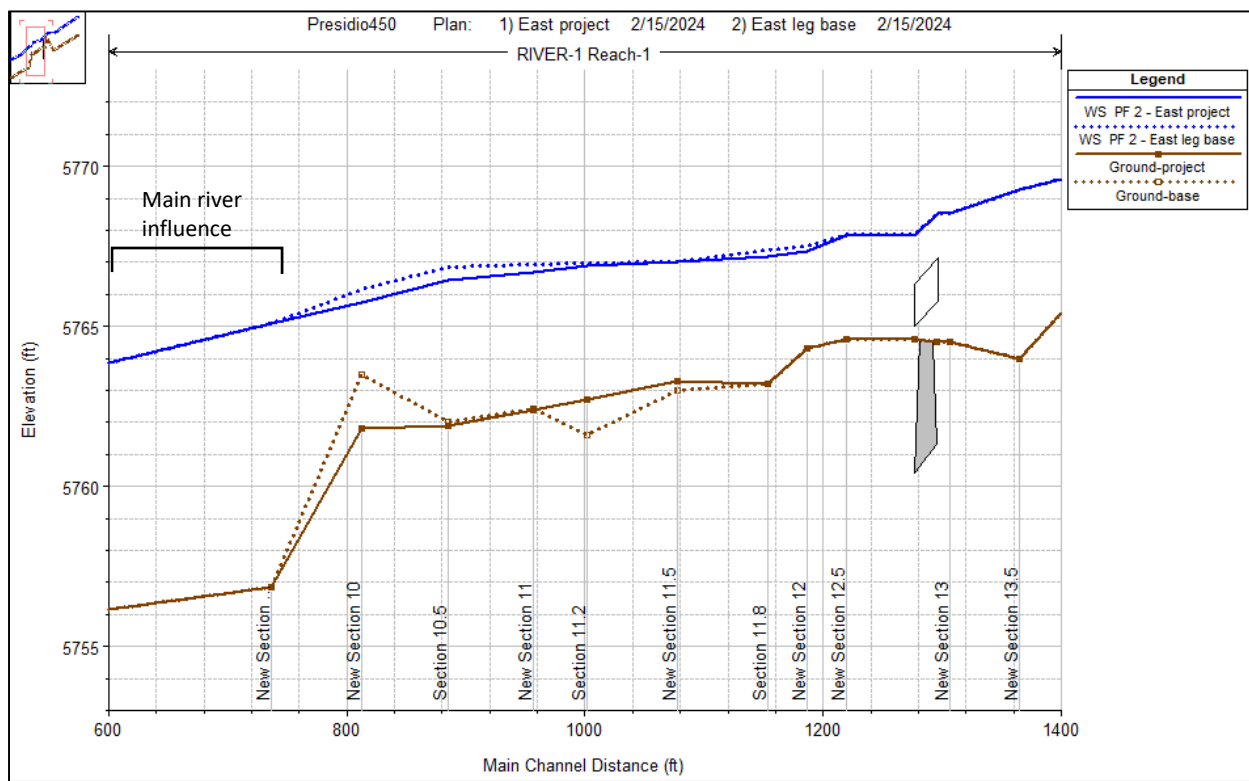
The Harmony memo included comments on the modeling and calculations for the project that were described in a memo to the City dated August 15, 2023. Each number below corresponds to an item in the Harmony memo:

1. A flow of 6,879 cfs will be used.
2. A review of the roughness coefficients indicates they appear to be reasonable. General guidelines for selection were based on Chow (1959) and were: 0.1 for very rough brush/tree areas, 0.08 for natural moderately rough areas, 0.06 for either natural lightly brushed areas or modified areas with expected riparian vegetation, 0.04 for modified areas with landscaping. The main change is a move from 0.06 to 0.04 behind the house. This area is currently an algae-filled pond with heavy growth along the banks, and will be converted to relatively smooth lawn. This change in roughness coefficient seems realistic and does assist with meeting the no-rise. A copy of the HEC-RAS model is being provided for review.
3. Response to be provided by Galena-Benchmark.
4. The model was revised to eliminate all rise.

Toward this goal it was decided to develop a more refined model that analyzes the east leg independently since it is topographically isolated from the main channel. The calculation of the discharge in the east channel during the 100-year event in the Big Wood River was based on an analysis previously submitted to the city, as follows. The lateral outflow from the main river to the east leg was assumed to be reasonably represented as a weir stretching between the east floodplain boundary and the high area between Sections 15 and 15.5, i.e. at the upstream "entrance" to the east flow path. The elevations were taken from the LiDAR topography, with the crest elevation varying from 5770.5 to 5772.0 feet, averaging about 5771.0 feet. The weir coefficient was taken to be 2.0, representing a wide, flat, broad-crested weir with a very rough surface. The starting station for the lateral outflow was set equal to the Section 15 station. In general, the location and parameters were selected to ensure that this approach did not

underestimate the discharge in the east flow area. The above approach resulted in an east leg discharge of 473 cfs.

The previous grading plan from the August 15, 2023 memo was adjusted to eliminate all modeled increases in flood height when compared to the existing condition. This revised grading plan is shown on the attached sheet. The model predicts changes in flood height ranging from zero to -0.40 feet relative to the baseline pre-project condition. The larger decreases occur near the lower end of the legacy pond, where the new channel will be excavated well below the current overflow elevation of the pond. The small increases that were predicted at cross-sections 11.5 and 11.8 have been eliminated. Computed profiles are shown in Figure 1 for the existing (base) and post-project models. Model output is shown on the attached sheet.



**Figure 1. Computed water surface profiles.**

## B. Cut-fill recalculation

The compensatory storage analysis was recalculated based on the same methodology set forth in the August 15, 2023 memo, but using the higher water surface elevations calculated by the revised model and the revised grading plan developed to achieve a no-rise condition. The revised cross-sections and section areas are shown on the attached sheet, and Table 1 shows the revised calculation.



**Table 1. Cut and fill balance below calculated post-project BFE.**

Section	Station (ft)	Avg dist between Sections (ft)	Cut Area (ft2)	Fill Area (ft2)	Delta V (cy)		Associated House Fill*	
					Cut	Fill	Area (ft2)	Delta V (cy)
Start grading (prop line)	0		0.0	0.0			0	
11.5	40	40	123.2	1.9	60.8	0.9	0.0	0.0
11.2	106	66	50.8	78.1	206.2	75.1	36.9	30.1
11	152	46	12.9	59.0	50.7	116.4	24.5	51.9
10.5	227	75	52.1	33.3	84.2	126.5	0.0	22.7
10	302	75	106.3	0.0	215.6	30.8	0.0	0.0
End grading - 9.5	334	32	0.0	0.0	20.6	13.2	0.0	0.0
Subtotals					638.1	363.0		104.7
TOTAL GROSS CUT					638.1	cy		
TOTAL GROSS FILL					363.0	cy		
ASSOCIATED HOUSE FILL					104.7	cy		
NET FILL (gross fill minus associated house fill)					258.3	cy		
<b>NET CUT-FILL BALANCE</b>					<b>379.9</b>	<b>cy</b>		

\* 5% slope for 10 feet away from the foundation (based on the IRC), and a 4:1 slope further away from the foundation until intersection with natural grade

**C. Response to planning staff letter, Floodplain Development Review Comments, Items #1 and #7**

Item #1

The elevation of 5765.93 feet was the corresponding calculated elevation on one of the cross-sections prepared by the landscape architect to illustrate the proposed grading plan; it was not intended to represent the governing BFE for the project. The revised model with the higher flow calculates an elevation of 5766.88 at Section 11.2 and 5767.00 at Section 11.5. The most upstream point on the building is between these two cross-sections, and the interpolated elevation at that point that should be used for the building is 5766.95.

Item #7

Ketchum Municipal Code 17.88.060.B.10 requires that compensatory storage meet four criteria. The criteria a. through d. are listed below, with statements of how the proposed plan adheres to each criteria.

a. Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, “equivalent elevation” means having similar relationship to ordinary high water and the best available 100-year water surface profiles;

The proposed floodplain storage enhancement is located within the same area and near the same elevations as the fill proposed for the residential project. It is within the floodplain that currently exists without the project.

b. Be hydraulically connected to the source of flooding;

The proposed floodplain storage enhancement is within the same flow path as currently exists during flooding periods and is not isolated or disconnected from the floodplain.

c. Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before the flood season begins.

The swale grading plan can take place in the same season as the house construction, house-associated fill, and grading plan fill, thus assuring that flood carrying capacity will not be impaired for the following flood season.

d. The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites.

In the proposed grading plan, a shallow swale is contemplated with a continuous slope toward the river. During times when the swale is carrying water, fish passage from the river will be possible. No ponded areas or similar fish stranding sites are proposed. Removal of the unauthorized pond with its elevated overflow will enhance fish passage potential. The area will be revegetated with appropriate riparian vegetation as indicated in the application materials.

Attachment F:  
Brockway Technical  
Memo (4/15/24)



# Technical Memo

**To:** City of Ketchum  
**From:** Charles G. Brockway, P.E.  
**Cc:**  
**Date:** April 15, 2024  
**Re:** Updates to model and cut/fill analysis for 450 Wood River Drive  
Floodplain Development Permit Application



This memo describes updated modeling and calculations to reflect a revised grading plan developed by Field Studio for the 450 Wood River Drive project. The grading adjustments include minor adjustments at cross-sections 11 and 11.2, made necessary by the increased design BFE for the residence. The HEC-RAS model previously described in a Brockway Engineering memo dated March 8, 2024 was adjusted and re-run. The model indicates a change in water surface elevation change compared to the previous model of 0.01 feet at Sections 11 and 11.2. The model continues to show no increase compared to pre-project conditions. The analysis of cut and fill was adjusted accordingly, and continues to indicate a substantial balance of cut over fill below the BFE. Model files are being provided to the city.

**Attachments:**

Model output table  
Cut/fill cross-section analysis  
Cut/fill tabulation

**Presidio Vista - 450 Wood River HEC-RAS Model Output**

4/15/2024 MODELING EAST LEG ONLY TO ACHIEVE NO-RISE, Q=473 CFS

4/15/2024 MINOR GRADING ADJUSTMENTS FROM FSLA

BASELINE EXISTING CONDITIONS

Sec No	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	roude #	Chl
16	Reach-1	93417.33	PF 2	6879	5769.82	5777.10	5776.53	5778.62	0.005656	10.09	901.18	561.55	0.75	
15.5	Reach-1	92671.74	PF 2	6879	5765	5771.76	5771.76	5773.49	0.008458	10.68	773.76	358.53	0.88	
15	Reach-1	92471.74	PF 2	473	5763.7	5770.37	5765.46	5770.38	0.000055	0.95	511.45	284.31	0.07	
14	Reach-1	92232	PF 2	473	5768.47	5770.24	5769.66	5770.33	0.005146	2.45	193	217.67	0.46	
13.5	Reach-1	92123	PF 2	473	5764	5769.27	5768.60	5769.45	0.014269	3.69	145.25	223.67	0.44	
13	Reach-1	92065	PF 2	473	5764.5	5768.54	5767.78	5768.61	0.014338	2.46	245.42	277.4	0.34	
	Reach-1	92021			Culvert									
12.5	Reach-1	91977	PF 2	473	5764.6	5767.87	5766.43	5767.92	0.009059	1.82	268.75	227.9	0.27	
12	Reach-1	91945	PF 2	473	5764.3	5767.50	5766.38	5767.57	0.013518	2.11	223.95	188.12	0.34	
11.8	Reach-1	91911	PF 2	473	5763.2	5767.38	5765.77	5767.4	0.00229	1.24	391.04	224.27	0.15	
11.5	Reach-1	91836	PF 2	473	5763	5767.02	5765.68	5767.1	0.008434	2.24	214.56	148.9	0.32	
11.2	Reach-1	91755	PF 2	473	5761.6	5766.97	5763.15	5766.99	0.000446	1.29	366.95	97.02	0.11	
11	Reach-1	91715	PF 2	473	5762.43	5766.93	5763.85	5766.97	0.000678	1.52	316.45	115.99	0.14	
10.5	Reach-1	91640	PF 2	473	5762	5766.85	5763.97	5766.89	0.001592	1.73	320.74	184.18	0.16	
10	Reach-1	91565	PF 2	473	5763.5	5766.14	5766.14	5766.53	0.048758	5.6	106	129.34	0.95	
9	Reach-1	91427	PF 2	6879	5756.85	5765.11	5762.49	5765.69	0.002294	6.4	1442.96	403.95	0.43	
8	Reach-1	91103.24	PF 2	6879	5755.22	5762.11	5762.07	5764.21	0.009228	11.96	795.14	318.24	0.94	
7	Reach-1	90690.8	PF 2	6879	5752.51	5759.92	5758.90	5761.25	0.005002	9.3	820.75	415.01	0.7	

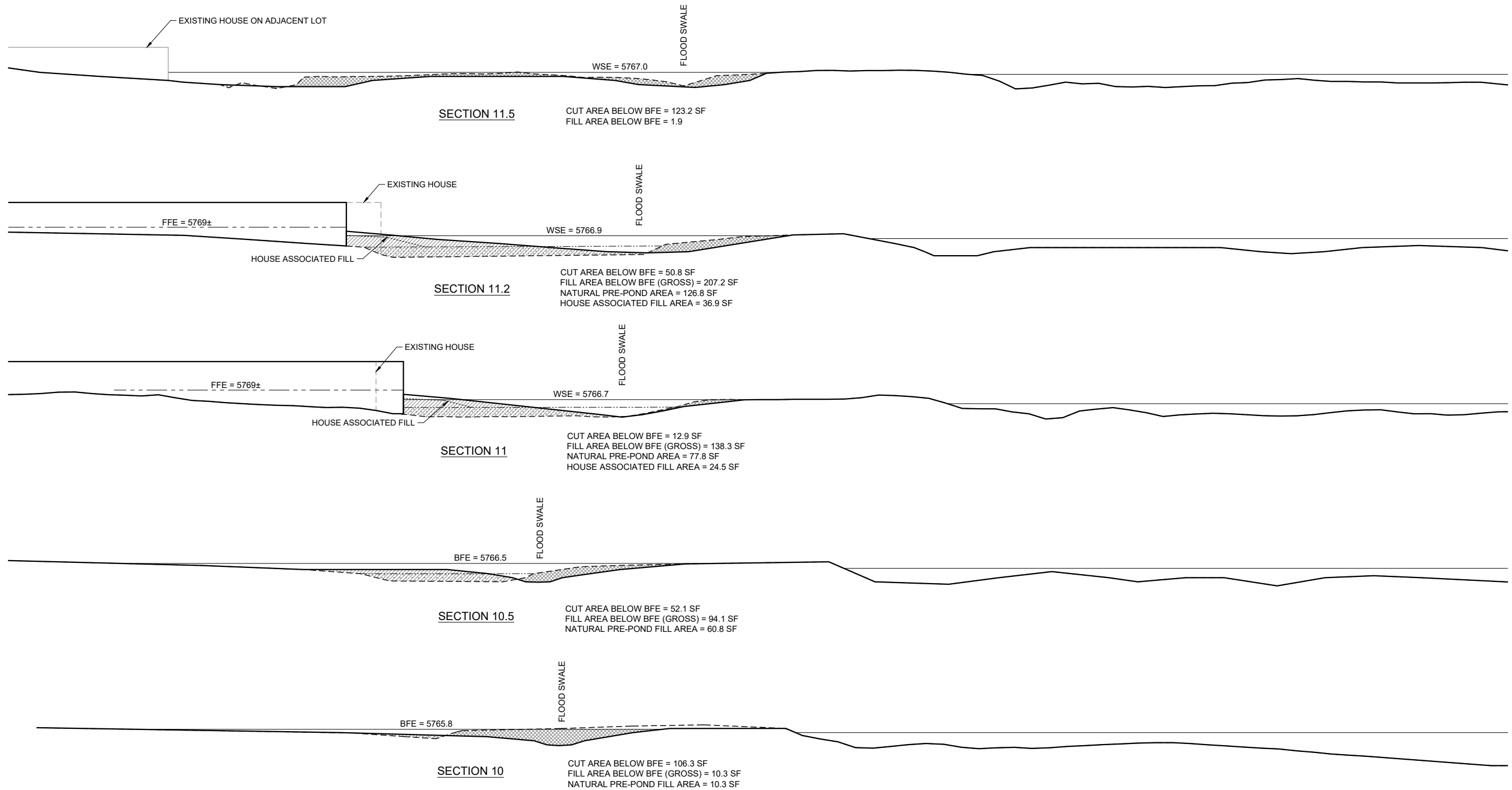
WITH PROJECT

Sec No	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	roude #	Ch	Delta WSE (ft)
16	Reach-1	93417.33	PF 2	6879	5769.82	5777.10	5776.526	5778.62	0.005656	10.09	901.18	561.55	0.75		0.00
15.5	Reach-1	92671.74	PF 2	6879	5765	5771.76	5771.76	5773.49	0.008458	10.68	773.76	358.53	0.88		0.00
15	Reach-1	92471.74	PF 2	473	5763.7	5770.37	5765.462	5770.38	0.000055	0.95	511.45	284.31	0.07		0.00
14	Reach-1	92232	PF 2	473	5768.47	5770.24	5769.66	5770.33	0.005146	2.45	193	217.67	0.46		0.00
13.5	Reach-1	92123	PF 2	473	5764	5769.27	5768.604	5769.45	0.014269	3.69	145.25	223.67	0.44		0.00
13	Reach-1	92065	PF 2	473	5764.5	5768.54	5767.781	5768.61	0.014338	2.46	245.42	277.4	0.34		0.00
	Reach-1	92021			Culvert										0.00
12.5	Reach-1	91977	PF 2	473	5764.6	5767.83	5766.433	5767.89	0.009973	1.87	260.33	226.01	0.29		-0.04
12	Reach-1	91945	PF 2	473	5764.3	5767.35	5766.375	5767.44	0.020514	2.41	196.25	184.29	0.41		-0.15
11.8	Reach-1	91911	PF 2	473	5763.2	5767.17	5765.767	5767.2	0.00328	1.39	344.6	217.13	0.18		-0.21
11.5	Reach-1	91836	PF 2	473	5763.3	5767.00	5764.923	5767.03	0.001569	1.42	333.53	150.07	0.17		-0.02
11.2	Reach-1	91755	PF 2	473	5762.7	5766.87	5764.826	5766.94	0.000962	2.08	227.98	94.95	0.23		-0.10
11	Reach-1	91715	PF 2	473	5762.4	5766.68	5765.401	5766.86	0.002881	3.33	142.9	72.31	0.4		-0.25
10.5	Reach-1	91640	PF 2	473	5761.9	5766.46	5765.266	5766.54	0.005902	2.45	214.96	140.62	0.29		-0.40
10	Reach-1	91565	PF 2	473	5761.8	5765.75	5764.964	5765.92	0.013309	3.32	155.52	125.1	0.44		-0.39
9	Reach-1	91427	PF 2	6879	5756.85	5765.11	5762.489	5765.69	0.002294	6.4	1442.96	403.95	0.43		0.00
8	Reach-1	91103.24	PF 2	6879	5755.22	5762.11	5762.069	5764.21	0.009228	11.96	795.14	318.24	0.94		0.00
7	Reach-1	90690.8	PF 2	6879	5752.51	5759.92	5758.898	5761.25	0.005002	9.3	820.75	415.01	0.7		0.00

- EXISTING GRADE
- PROJECT GRADE
- BASELINE BFE CALCULATED
- ▨ FILL BELOW BFE
- ▩ CUT BELOW BFE
- ▤ ESTIMATED PRE-POND NATURAL

# CUT/FILL ANALYSIS - 450 WOOD RIVER

BFE = EAST LEG FLOW ANALYSIS, PROPOSED CONDITIONS MODEL, GRADING ADJUSTMENTS 4/15/2024  
 HOUSE IN EXISTING BUILDING ENVELOPE, POND FILL, SWALE ADDED



THIS DRAWING HAS BEEN PREPARED BY BROCKWAY ENGINEERING, PLLC. FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.

REV	DESCRIPTION	DATE	APPD.
C	REVISED, EAST LEG MODEL, NEW GRADING	4/15/2024	
B	REVISED, EAST LEG MODEL, NEW GRADING	2/15/2024	
A	HOUSE IN EXISTING BLDG ENVELOPE	8/15/2023	

DESIGNED BY CGB	DRAFTED BY CGB
NO SCALE	

**BROCKWAY ENGINEERING, PLLC.**  
 HYDRAULICS - HYDROLOGY - WATER RESOURCES  
 2016 NORTH WASHINGTON, SUITE 4  
 TWIN FALLS, ID. 83301  
 (208) 736-8543

**450 WOOD RIVER  
 FLOODPLAIN DEVELOPMENT PERMIT  
 CUT AND FILL AREAS BELOW CALCULATED  
 BFE (100-YEAR FLOW)**

PROJECT # 1575-01-2021	DWG #
FIGURE 3	134

## Analysis of Cut and Fill Volume Below BFE

### Pre-Pond Natural Baseline

450 standalone project

BFE calculated with PROPOSED CONDITIONS model, east leg flow only

Volumes calculated using frustum formula

CGB 4/15/2024 - FSLA grading adjustments

Section	Station	Avg dist between sections	Cut Area (ft2)	Fill Area (ft2)	Delta V (cy)		Associated house fill*	
					Cut	Fill	Area (ft2)	Delta V
Start grading (prop line)	0		0.0	0.0			0	
11.5	40	40	123.2	1.9	60.8	0.9	0.0	0.0
11.2	106	66	50.8	80.4	206.2	77.1	36.9	30.1
11	152	46	12.9	60.5	50.7	119.6	24.5	51.9
10.5	227	75	52.1	33.3	84.2	128.4	0.0	22.7
10	302	75	106.3	0.0	215.6	30.8	0.0	0.0
End grading - 9.5	334	32	0.0	0.0	20.6	13.2	0.0	0.0
Totals					638.1	370.1		104.7

Total gross cut	638.1 cy
Total gross fill	370.1 cy
Associated house fill	104.7 cy
Net fill (gross minus associated house fill)	265.4 cy
<b>Net cut-fill balance excluding associated house fill</b>	<b>372.7 cy</b>

Attachment G:  
Galena-Benchmark  
Drainage Memo  
(3/4/24)



# Galena-Benchmark Engineering

ENGINEERING, PLANNING, SURVEYING & MAPPING  
PO Box 733  
100 Bell Drive  
Ketchum, Idaho 83340  
208-726-9512



## MEMORANDUM

**Date:** 3/04/2024

**To:** City of Ketchum

**From:** Phoebe Johannessen, PE – Galena Benchmark Engineering

**Subject:** On-site Drainage at 450 Wood River Drive

The following memo has been put together to provide the City of Ketchum with information to show the proposed residence at 450 Wood River Drive meets the Ketchum Code standard 17.124.170 (A). Calculations for proposed site conditions for the single-family dwelling as well as predeveloped flow are included in this memo. Using an infiltration rate of 2-inches per minute provided by the project's geotechnical engineer, the proposed drywell was calculated to infiltrate drainage from the new impervious areas on the site. These impervious areas include the house, driveway and patios which equate to approximately 0.22 acres.

The pre-developed flow rate for the 25-year storm is 0.59 cfs as calculated using the rational method. The developed condition runoff is 0.26 with a drywell infiltrating runoff from the proposed house, driveway and patios. Calculations are provided on page 2 of this memo. Thus the project will have an overall reduction in the 25-year on-site flow rate from 0.59 cfs to 0.26 cfs. A portion of this flow reduction is due to the removal of the existing pond, which will be replaced with a conveyance swale.

The drywell will be 5 feet deep with a 24" diameter perforated standpipe and a 3.5-ft-thick envelope of drain rock surrounding the pipe. Drainage from the driveway will be collected in a trench drain and piped through a series of catch basins to the drywell. Roof drains will tie into the 6" storm drain along the SE side of the house. Due to potential high groundwater tables during the spring, this drywell may overflow into the proposed channel downslope from the drywell. The channel drains to the Big Wood River. During normal conditions, the drywell is expected to infiltrate the site's stormwater runoff.



**Mary's Place Subdivision Lot 3 - Predeveloped**

BY: S.Smith  
 DATE: 2/15/2024

Storm Intensity: 2.3 in/hr (25-year storm)  
 Runoff Coefficients  
 C: 0.95 (Pond)  
 C: 0.1 (unimproved)

Lot 3	Area (AC)	Flow Rate (cfs)
unimproved	1.09	0.25
pond	0.16	0.34
<b>Total =</b>	<b>1.24</b>	<b>0.59</b>

**Mary's Place Subdivision Lot 3 Proposed Development**

BY: S.Smith  
 DATE: 2/14/2024

Storm Intensity: 2.3 in/hr (25 year storm)  
 Runoff Coefficients  
 C: 0.2 Landscaped  
 C: 0.9 Impervious

Lot 3	Area (AC)	Flow Rate (cfs)
House & Driveway Patios	0.22	0.45
Landscape	0.12	0.06
Undisturbed	0.91	0.21
<b>Total =</b>	<b>1.24</b>	<b>0.71</b>
Drywell Infiltration =		(0.45)
<b>Developed Flow with Drywell =</b>		<b>0.26</b>

C: 0.1 Undisturbed

# Infiltration System Sizing Worksheet

450 Wood River Drive

Date: 3/1/2024

By: P. Johannessen

## DRYWELL 1

### Onsite Native Soil Infiltration

Infiltration Rate:	120	in/hr
Factor of Safety:	1.5	
<b>Design Infiltration Rate:</b>	<b>80</b>	<b>in/hr</b>

### Site Infiltration Sizing

Land Use	Runoff Coeff (C)	Area (AC)
Undeveloped	0.1	0.00
Landscape	0.2	0.00
Impervious	0.9	0.22
<b>Total Area</b>		<b>0.22</b>

Weighted runoff coefficient: 0.90

### Storage Volume Requirement

#### 25-Year Storm Event

Duration (min)	Precip depth (in)	Accumulated Flow Volume (cf)	Bottom Infiltration Rate (cfs)	Bottom Infiltration Volume (cf)	Required Storage (Subtotal)* (cf)	Water Depth (ft)	Sidewall Infiltration Rate (cfs)	Sidewall Infiltration Volume (cf)	Drywell Infiltration Volume (cf)	Required Storage (cf)	Available Storage (cf)
5	0.24	172	0.12	35	137	2.2	0.11	34	69	103	137
10	0.38	273	0.12	71	202	3.2	0.17	100	171	102	137
15	0.48	345	0.12	106	239	3.8	0.20	177	283	62	137
30	0.67	482	0.12	212	269	4.2	0.22	399	611	0	137
60	0.84	604	0.12	424	180	2.8	0.15	532	956	0	137
120	1.01	726	0.12	848	0	0	0	0	848	0	137
180	1.15	827	0.12	1272	0	0	0	0	1272	0	137
360	1.50	1078	0.12	2545	0	0	0	0	2545	0	137
720	2.05	1473	0.12	5089	0	0	0	0	5089	0	137
1440	2.60	1869	0.12	10179	0	0	0	0	10179	0	137

\*Storage requirement with bottom infiltration only.

Drywell Storage Requirement	103	Cu. Ft.
Drywell Storage Volume Provided	137	Cu. Ft.

### Storage Volume Provided by Drywell 1

#### Drywell Structure Dimensions

Drywell Manhole Diameter:	2.0	ft
Drain Rock Thickness:	3.5	ft
Drain Rock Void Ratio:	0.4	
Depth of Rock:	5.0	ft

MH Base Area:	3.1	sf
Total Base Area:	63.6	sf
Drain Rock Annular Area:	60.5	sf
Drain Rock Circumference:	28.3	ft
Drywell Storage Volume:	137	Cu. Ft.

Attachment H:  
IDWR & USACE Joint  
Application

**Mary's Place Subdivision, Lot 3, Block 1  
450 Wood River Drive  
City of Ketchum, Blaine County, Idaho**

**March 2023**

450 - 490 Wood River, LLC  
Presidio Vista Properties  
P.O. Box 10092  
Ketchum, ID 83340

Pre-construction notification is being submitted on behalf of 450 - 490 Wood River, LLC owners of Lot 3, Block 1, of the Mary's Place Subdivision, located 450 Wood River Drive, within Section 13, Township 4N., Range 17E., City of Ketchum, Blaine County, Idaho. Applicant request permit approval for residential development within existing platted building envelope.

450 Wood River Dr. residential development project, a cooperative resource reclamation project. Proposed project applications will result in impacts to WOTUS, fill unauthorized [excavated] pond and associated wetland margin. Identified jurisdictional resources located on 450, 440 and 430 Wood River Drive in Ketchum Idaho. Impacts include: construction of residential home, attendant landscape elements, associated grading applications and floodplain/riparian/wetland restoration applications. Project applications within identified WOTUS (wetlands) area of impact, approx. 0.27 ac (11,765 sq. ft.): permanent impact [fill] approx. 0.052 ac. (2,300 sq. ft.), and floodplain/riparian/wetland restoration applications approx. 0.22 ac. (9,465 sq. ft.). Proposed riparian/wetland mitigation applications will reclaim (restore/create/enhance) approximately 0.67 ac. (29,000 sq. ft.) of floodplain/riparian/wetland habitat resources.

Proposed development applications are considered to be the best alternative to provide for reasonable use of the existing platted building envelope. Proposed project applications will remove (fill) unauthorized pond, restore pond site to natural conditions and work to reclaim natural floodplain/riparian/wetland functions and value throughout the greater project site. Mitigation to offset for the proposed wetland impacts [permanent fill] will be implemented in conjunction with the City of Ketchum Floodplain Development regulations and requirements.

Due to the proposed wetland mitigation applications, locations of proposed development applications, site drainage characteristics and preserved vegetative buffers, changes to wetland functions, hydrological characteristics and processes are not anticipated.

Project will incorporate all applicable Best Management Practices (BMPs) such as silt fence and straw wattles to protect resource values and ensure compliance with Water Quality Standards and applicable environmental regulations. All disturbed areas will be reclaimed and vegetated with native riparian wetland plant species.

# JOINT APPLICATION FOR PERMITS

## U.S. ARMY CORPS OF ENGINEERS - IDAHO DEPARTMENT OF WATER RESOURCES - IDAHO DEPARTMENT OF LANDS

**Authorities:** The Department of Army Corps of Engineers (Corps), Idaho Department of Water Resources (IDWR), and Idaho Department of Lands (IDL) established a joint process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and State of Idaho. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. State permits are required under the State of Idaho, Stream Protection Act (Title 42, Chapter 38, Idaho Code and Lake Protection Act (Section 58, Chapter 13 et seq., Idaho Code). In addition the information will be used to determine compliance with Section 401 of the Clean Water Act by the appropriate State, Tribal or Federal entity.

**Joint Application:** Information provided on this application will be used in evaluating the proposed activities. Disclosure of requested information is voluntary. Failure to supply the requested information may delay processing and issuance of the appropriate permit or authorization. **Applicant will need to send a completed application, along with one (1) set of legible, black and white (8½"x11"), reproducible drawings that illustrate the location and character of the proposed project / activities to both the Corps and the State of Idaho.**

**See Instruction Guide** for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers.

**Do not start work until you have received all required permits from both the Corps and the State of Idaho**

### FOR AGENCY USE ONLY

USACE NWW-	Date Received:	<input type="checkbox"/> Incomplete Application Returned	Date Returned:
Idaho Department of Water Resources No.	Date Received:	<input type="checkbox"/> Fee Received DATE:	Receipt No.:
Idaho Department of Lands No.	Date Received:	<input type="checkbox"/> Fee Received DATE:	Receipt No.:

### INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED

1. CONTACT INFORMATION - APPLICANT Required:				2. CONTACT INFORMATION - AGENT:			
Name: Matt Scoggins - Presidio Vista Properties				Name: Trent A. Stumph			
Company: 450-490 Wood River, LLC				Company: SAWTOOTH ENVIRONMENTAL CONSULTING, LLC			
Mailing Address: P.O. Box 14001-174				Mailing Address: P.O. Box 2707, 540 North 1st. Avenue			
City: Ketchum		State: ID	Zip Code: 83340	City: Ketchum		State: ID	Zip Code: 83340
Phone Number (include area code): 214-557-5533		E-mail: matt@presidiovistaproperties.com		Phone Number (include area code): 208-727-9748		E-mail: trent@sawtoothenvironmentalcom	

3. PROJECT NAME or TITLE: 450 Wood River Drive - Residential Development				4. PROJECT STREET ADDRESS: 450 Wood River Drive				
5. PROJECT COUNTY: Blaine		6. PROJECT CITY: Ketchum		7. PROJECT ZIP CODE: 83340		8. NEAREST WATERWAY/WATERBODY: Big Wood River		
9. TAX PARCEL ID#: RPK04740000030		10. LATITUDE: 43.673875° N LONGITUDE: -114.369850° W		11a. 1/4: SE	11b. 1/4: SE	11c. SECTION: 13	11d. TOWNSHIP: 4N	11e. RANGE: 17E
12a. ESTIMATED START DATE: June 2023		12b. ESTIMATED END DATE: July 2025		13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES    Tribe:				
13b. IS PROJECT LOCATED IN LISTED ESA AREA? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				

14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks.  
Parcel approximately 0.85 miles from downtown Ketchum. From the Main Street and Sun Valley Rd. intersection head southwest on Sun Valley Road, 0.27 mi. turn left onto Third Ave., 0.11 mi. turn right on to 1st St. (West Wood River Dr.), follow W Wood River Drive 0.46 mi. project site destination on the left, 450 Wood River Drive.

15. PURPOSE and NEED:     Commercial     Industrial     Public     Private     Other  
Describe the reason or purpose of your project; include a brief description of the overall project. Continue to Block 16 to detail each work activity and overall project.  
Residential development Mary's Place Subd., Lot 3, Block 1 [450 Wood River Dr]. Proposed home-site development, attendant landscape features and grading applications will impact identified WOTUS fill unauthorized excavated pond and wetland margin: approximately 0.27 ac. (11,765 sq. ft.). Proposed floodplain, riparian, wetland restoration and mitigation: total area 0.92 ac. (40,000 sq. ft.) reclaim/create functional riparian wetland habitat.

16. DETAILED DESCRIPTION OF EACH ACTIVITY WITHIN OVERALL PROJECT. Specifically indicate portions that take place within waters of the United States, including wetlands: Include dimensions; equipment, construction, methods; erosion, sediment and turbidity controls; hydrological changes: general stream/surface water flows, estimated winter/summer flows; borrow sources, disposal locations etc.:

450 Wood River Dr. residential development project, cooperative resource reclamation project. Proposed project applications will result in impacts to WOTUS, identified jurisdictional resources located on 450, 440 and 430 Wood River Drive in Ketchum Idaho. Impacts include: construction of residential home, attendant landscape elements, associated grading applications and floodplain/riparian/wetland restoration applications. Project applications within identified WOTUS (wetlands) area of impact, approx. 0.27 ac (11,765 sq. ft.); permanent impact [fill] approx. 0.052 ac. (2,300 sq. ft.), and floodplain/riparian/wetland restoration applications approx. 0.22 ac. (9,465 sq. ft.). Proposed riparian/wetland mitigation applications will reclaim (restore/create/enhance) approximately 0.67 ac. (29,000 sq. ft.) of floodplain/riparian/wetland habitat resources. Wetlands identified within the subject parcels are classified as Palustrine Unconsolidated Bottom Permanently Flooded Excavated (USFWS-NWI: PUBHx). Wetland characteristics associated with the identified wetland resources include open water (pond) and vegetated wetland margin (introduced and native vegetation).

Project applications involve the regrading (excavation) and placement of approximately 800 cu. yds. of material. Existing on-site material: soil/gravel/stone mix, fill associated with existing excavated pond. Subject material to be utilized to fill pond and regrade site. Standard construction equipment utilized to excavate, place and distribute materials (track excavator, loader and dozer).

Due to the locations of the proposed development applications, site drainage characteristics, proposed floodplain/riparian/wetland restoration and mitigation applications, and preserved vegetative buffers, changes to the hydrological characteristics and processes (periodic floodplain inundation and associated groundwater dynamics) are not anticipated.

17. DESCRIBE ALTERNATIVES CONSIDERED to AVOID or MEASURES TAKEN to MINIMIZE and/ or COMPENSATE for IMPACTS to WATERS of the UNITED STATES, INCLUDING WETLANDS: See Instruction Guide for specific details.

Proposed development applications are considered to be the best alternative to provide for reasonable use of the existing platted building envelope associated with the subject parcel(s). Proposed project applications will remove unauthorized pond (fill), restore pond site to natural condition and work to reclaim natural floodplain/riparian/wetland function and value throughout the greater project site.

18. PROPOSED MITIGATION STATEMENT or PLAN: If you believe a mitigation plan is not needed, provide a statement and your reasoning why a mitigation plan is NOT required. Or, attach a copy of your proposed mitigation plan.

450 Wood River Drive residential development project has been designed to minimize impacts to the greatest extent practicable and reclaim (promote) natural system processes (floodplain/riparian/wetland). Mitigation to offset for the proposed project impacts [permanent fill] will be implemented in conjunction with City of Ketchum Floodplain Development regulations and FEMA requirements. On-site compensatory mitigation applications will be implemented throughout the greater project area. Due to the proposed mitigation applications, locations of proposed development applications, site drainage characteristics and preserved vegetative buffers, changes to wetland functions, hydrological characteristics and processes are not anticipated.

19. TYPE and QUANTITY of MATERIAL(S) to be discharged below the ordinary high water mark and/or wetlands:

Dirt or Topsoil: 300 cubic yards  
 Dredged Material: \_\_\_\_\_ cubic yards  
 Clean Sand: \_\_\_\_\_ cubic yards  
 Clay: \_\_\_\_\_ cubic yards  
 Gravel, Rock, or Stone: 500 cubic yards  
 Concrete: \_\_\_\_\_ cubic yards  
 Other (describe): \_\_\_\_\_ : \_\_\_\_\_ cubic yards  
 Other (describe): \_\_\_\_\_ : \_\_\_\_\_ cubic yards

TOTAL: 800 cubic yards

20. TYPE and QUANTITY of impacts to waters of the United States, including wetlands:

Filling: 0.27 acres 11,765 sq ft. 800 cubic yards  
 Backfill & Bedding: \_\_\_\_\_ acres \_\_\_\_\_ sq ft. \_\_\_\_\_ cubic yards  
 Land Clearing: \_\_\_\_\_ acres \_\_\_\_\_ sq ft. \_\_\_\_\_ cubic yards  
 Dredging: \_\_\_\_\_ acres \_\_\_\_\_ sq ft. \_\_\_\_\_ cubic yards  
 Flooding: \_\_\_\_\_ acres \_\_\_\_\_ sq ft. \_\_\_\_\_ cubic yards  
 Excavation: \_\_\_\_\_ acres \_\_\_\_\_ sq ft. \_\_\_\_\_ cubic yards  
 Draining: \_\_\_\_\_ acres \_\_\_\_\_ sq ft. \_\_\_\_\_ cubic yards  
 Other: \_\_\_\_\_ : \_\_\_\_\_ acres \_\_\_\_\_ sq ft. \_\_\_\_\_ cubic yards

TOTALS: 0.27 acres 11,765 sq ft. 800 cubic ya

21. HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT?  NO  YES If yes, describe ALL work that has occurred including dates.  
 NONE

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:  
 NONE  
 NOTE: Cooperative project between 450-490 Wood River LLC [Applicant], landowner 450 Wood River Drive and North Point Trust Company, landowner 440 and 430 Wood River Drive

23.  YES, Alteration(s) are located on Public Trust Lands, Administered by Idaho Department of Lands

24. SIZE AND FLOW CAPACITY OF BRIDGE/CULVERT and DRAINAGE AREA SERVED: \_\_\_\_\_ Square Miles

25. IS PROJECT LOCATED IN A MAPPED FLOODWAY?  NO  YES If yes, contact the floodplain administrator in the local government jurisdiction in which the project is located. A Floodplain Development permit and a No-rise Certification may be required.

26a. WATER QUALITY CERTIFICATION: Pursuant to the Clean Water Act, anyone who wishes to discharge dredge or fill material into the waters of the United States, either on private or public property, must obtain a Section 401 Water Quality Certification (WQC) from the appropriate water quality certifying government entity.  
See Instruction Guide for further clarification and all contact information.

The following information is requested by IDEQ and/or EPA concerning the proposed impacts to water quality and anti-degradation:  
 NO  YES Is applicant willing to assume that the affected waterbody is high quality?  
 NO  YES Does applicant have water quality data relevant to determining whether the affected waterbody is high quality or not?  
 NO  YES Is the applicant willing to collect the data needed to determine whether the affected waterbody is high quality or not?

26b. BEST MANAGEMENT PRACTICES (BMP's): List the Best Management Practices and describe these practices that you will use to minimize impacts on water quality and anti-degradation of water quality. All feasible alternatives should be considered - treatment or otherwise. Select an alternative which will minimize degrading water quality

Proposed project applications will incorporate all applicable Best Management Practices to protect resource values and to ensure compliance with local, state and Federal Water Quality Standards and applicable environmental regulations. The following applications will be implemented throughout the identified project areas during all construction phases of the project and site reclamation to ensure successful project results.

- 1) Project applications will be constructed and completed when conditions are favorable and project locations are suitable for construction applications.
- 2) Practical construction sequencing and appropriate BMP applications, silt fence and/or straw wattles utilized and placed in appropriate locations within and along delineated limits of disturbance [LOD] to ensure compliance with Federal, state and local regulations.
- 4) All construction equipment will be free of leaks and in good working order. Storage, fueling and any unexpected repairs of equipment will be completed outside of wetlands and other sensitive habitat areas.
- 5) An emergency spill kit will be kept on site during construction activities.
- 6) All disturbed areas outside of the identified development footprint will be reclaimed and vegetated with native grass, shrub and tree species, bare soils will be stabilized with broadcast seed applications and containerized plantings. Reclamation applications will occur as soon as the proposed construction activities are complete.
- 7) Preserve and maintain native vegetation buffers within sensitive areas not disturbed by proposed development applications.

Through the 401 Certification process, water quality certification will stipulate minimum management practices needed to prevent degradation.

27. LIST EACH IMPACT to stream, river, lake, reservoir, including shoreline: Attach site map with each impact location.

Activity	Name of Water Body	Intermittent Perennial	Description of Impact and Dimensions	Impact Length Linear Feet
NA	Big Wood River	Perennial	NONE	
TOTAL STREAM IMPACTS (Linear Feet):				

28. LIST EACH WETLAND IMPACT include mechanized clearing, fill excavation, flood, drainage, etc. Attach site map with each impact location.

Activity	Wetland Type: Emergent, Forested, Scrub/Shrub	Distance to Water Body (linear ft)	Description of Impact Purpose: road crossing, compound, culvert, etc.	Impact Length (acres, square ft linear ft)
Riparian wetland restoration	Open Water (PUBHx) and wetland margin (PSSC)	100 (+/-)	Fill existing pond (unauthorized) and landscape grading	9,465
TOTAL WETLAND IMPACTS (Square Feet):				9,465

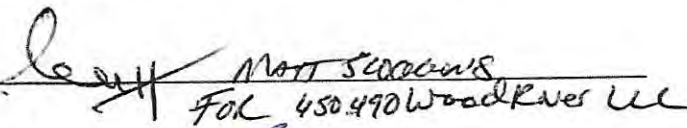



29. ADJACENT PROPERTY OWNERS NOTIFICATION REQUIREM: Provide contact information of ALL adjacent property owners below.

<p>Name: City of Ketchum</p> <p>Mailing Address: PO Box 2315</p> <p>City: State: Zip Code: Ketchum ID 83340</p> <p>Phone Number (include area code): E-mail: 208.726.3841 participate@ketchumidaho.org</p>	<p>Name: North Point Trust Company</p> <p>Mailing Address: 333 W Blvd. Suite 305, 440 and 430 Wood River Drive</p> <p>City: State: Zip Code: Rapid City SD 57701</p> <p>Phone Number (include area code): E-mail: gbraks@aol.com</p>
<p>Name: 450-490 Wood River LLC [Applicant]</p> <p>Mailing Address: PO Box 14001-174, 490 Wood River Drive</p> <p>City: State: Zip Code: Ketchum ID 83340</p> <p>Phone Number (include area code): E-mail: 214-557-5533 matt@presidiovistaproperties.com</p>	<p>Name: Russell and Carol Newcomb</p> <p>Mailing Address: 3392 Highlawn Drive,</p> <p>City: State: Zip Code: Twin Falls ID 83301</p> <p>Phone Number (include area code): E-mail:</p>
<p>Name: Don and Carole Armand</p> <p>Mailing Address: PO Box 5404, 460 Wood River Drive</p> <p>City: State: Zip Code: Ketchum ID 83340</p> <p>Phone Number (include area code): E-mail:</p>	<p>Name: David Ward</p> <p>Mailing Address: PO Box 973</p> <p>City: State: Zip Code: Sun Valley ID 83353</p> <p>Phone Number (include area code): E-mail:</p>
<p>Name: Meadow Brook Condominium Owners Association</p> <p>Mailing Address: PO Box 254</p> <p>City: State: Zip Code: Ketchum ID 83340</p> <p>Phone Number (include area code): E-mail:</p>	<p>Name:</p> <p>Mailing Address:</p> <p>City: State: Zip Code:</p> <p>Phone Number (include area code): E-mail:</p>

30. SIGNATURES: STATEMENT OF AUTHORIZATION / CERTIFICATION OF AGENT / ACCESS

Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; or am acting as the duly authorized agent of the applicant (Block 2). I hereby grant the agencies to which this application is made, the right to access/come upon the above-described location(s) to inspect the proposed and completed work/activities.

Signature of Applicant:  Date: 3/16/23  
 Signature of Agent:  Date: MAR-17, 2023

This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both".



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
BOISE REGULATORY OFFICE  
720 EAST PARK BOULEVARD, SUITE 245  
BOISE, IDAHO 83712-7757

May 15, 2023

WALLA WALLA DISTRICT  
REGULATORY DIVISION

SUBJECT: NWW-2023-00200, 450 Wood River Drive Residential Development

Matt Scoggins  
Presidio Vista Properties  
P.O. Box 14001-174  
Ketchum, Idaho 83340

Dear Mr. Scoggins:

We have determined that your proposed project, 450 Wood River Drive Residential Development, is authorized in accordance with Department of the Army (DA) **Nationwide Permit (NWP) No. 29: Residential Developments**. This project is located at 450 Wood River Drive, within Section 13 of Township 4 North, Range 17 East, near coordinates 43.673875° N latitude and -114.369850° W longitude, in Ketchum, Blaine County, Idaho. Please refer to File Number NWW-2023-00200 in all future correspondence with our office regarding this project.

Project activities include the discharge of fill and dredged material within PSSC wetlands adjacent to the Big Wood River and an unauthorized pond, which may be considered waters of the United States. The purpose of the proposed project is to construct a driveway access, building pad and other amenities associated with residential development. The work will entail the placement of roadway materials to allow for the construction of a driveway access road, landscape grading applications and landscape elements associated with residential development. Additionally, an unauthorized excavated pond will be filled; the majority of the filled pond will be restored to the previous natural riparian wetland habitat.

The proposed work will result in the discharge of approximately 800 cubic yards of fill and dredged material. Proposed project activities will permanently fill approximately 0.052 acres of wetlands; wetland restoration activities will impact approximately 0.22 acres, impacting a total of approximately 0.27 acres of wetland resources. Additional impacts include the restoration of 0.67 acres of wetlands associated with the Wetland Mitigation Plan. All work shall be done in accordance with the enclosed drawings, titled: *450-490 Wood River, LLC Maps and Designs, dated March 14, 2023.*

DA permit authorization is necessary because your project may involve the discharge of fill material into waters of the U.S. This authorization is outlined in Section 404 of the Clean Water Act (33 U.S.C. 1344).

You must comply with all general, regional, and special conditions, for this verification letter to remain valid and to avoid possible enforcement actions. The general and regional permit conditions for *NWP No. 29: Residential Developments* are attached and also available online<sup>1</sup>. In addition, you must also comply with the special conditions listed below.

The following Special Conditions include:

**Special Condition 1:** Permittee shall mitigate for the impacts to 0.27 acres of wetlands by enhancing portions of the wetlands which occur on the parcel in accordance with the approved plan titled: *450-490 Wood River Wetland Mitigation Plan* dated *March 2023*.

**Special Condition 2:** Upon construction of the mitigation site, the Permittee shall submit a monitoring report to the Corps by January 1<sup>st</sup> of each year following construction for a period of three years or until the Corps has determined the mitigation site has met its performance standards as described in *450-490 Wood River Wetland Mitigation Plan* dated *March 2023*.

**Special Condition 3:** The permittee is responsible for all work done by any contractor. Permittee shall ensure any contractor who performs the work is informed of and follows all the terms and conditions of this authorization, including any Special Conditions listed above. Permittee shall also ensure these terms and conditions are incorporated into engineering plans and contract specifications.

You must also comply with the conditions detailed in the attached Section 401 Water Quality Certification (WQC) issued by the Idaho Department of Environmental Quality (IDEQ) on December 4, 2020. If you have any questions regarding the conditions set forth in the WQC, please contact IDEQ directly at 208-736-2190, Twin Falls Regional Office.

Nationwide Permit General Condition 30 (Compliance Certification) requires that every permittee who has received NWP verification must submit a signed certification regarding the completed work and any required mitigation. This Compliance Certification form is enclosed for your convenience and must be completed and returned to us within 30 days of your project's completion.

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<sup>1</sup> <http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Nationwide-Permits/>

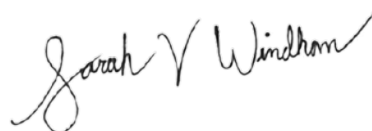
This letter of authorization does not convey any property rights, or any exclusive privileges and does not authorize any injury to property or excuse you from compliance with other Federal, State, or local statutes, ordinances, regulations, or requirements which may affect this work.

This verification is valid until **March 14, 2026**, unless the NWP is modified, suspended or revoked. If your project, as permitted under this NWP verification, is modified in any way you must contact our office prior to commencing any work activities. In the event that you have not completed construction of your project by March 14, 2026, please contact us at least 60-days prior to this date. A new application and verification may be required.

We actively use feedback to improve our delivery and provide you with the best possible service. If you would like to provide feedback, please take our online survey<sup>2</sup>. If you have questions or if you would like a paper copy of the survey, please contact the Walla Walla District Regulatory. For more information about the Walla Walla District Regulatory program, you can visit us online<sup>3</sup>.

If you have any questions or need additional information about this permit authorization, you can contact me by phone at 208-433-4469, by mail at the address in the letterhead, or email at sarah.v.windham@usace.army.mil. For informational purposes, a copy of this letter has been sent to: Sean Woodhead with the Idaho Department of Environmental Quality, Aaron Golart with the Idaho Department of Water Resources, Trent Stumph, designated agent with Sawtooth Environmental Consulting, LLC and Kristine Hilt with Blaine County.

Sincerely,



Sarah V Windham  
Project Manager, Regulatory Division

Encls

Transfer of Nationwide Permit Form  
Compliance Certification

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<sup>2</sup> <https://regulatory.ops.usace.army.mil/customer-service-survey/>

<sup>3</sup> <http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/>

Drawings titled: *450-490 Wood River, LLC Maps and Designs*, dated *March 14, 2023*.

Nationwide Permit 29: Residential Developments general and regional conditions  
IDEQ General Water Quality Certification dated December 04, 2020

## TRANSFER OF NATIONWIDE PERMIT

When the structures or work authorized by this Nationwide Permit, **NWW-2023-00200 450 Wood River Drive Residential Development**, are still in existence at the time the property is transferred. The terms and conditions of this Nationwide Permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this Nationwide Permit, the associated liabilities and compliance with the terms and conditions the transferee must sign and date below.

Name of New Owner:

Street Address:

Mailing Address:

City, State, Zip:

Phone Number:

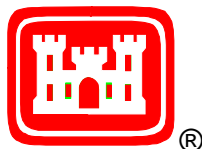
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*Signature of TRANSFEREE*

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*DATE*

# COMPLIANCE CERTIFICATION



US Army Corps of Engineers  
Walla Walla District



Permit Number: NWW-2023-00200

Name of Permittee: Matt Scoggins – Presidio Vista Properties

Date of Issuance: May 15, 2023

Upon completion of the activity authorized by this permit and any mitigation required by the permit, please sign this certification and return it to the following address:

U.S. Army Corps of Engineers  
Walla Walla District  
Boise Regulatory Office  
720 East Park Blvd., Suite 245  
Boise, Idaho 83712-7757

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit, the permit is subject to suspension, modification, or revocation and you are subject to an enforcement action by this office.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit. The required mitigation was also completed in accordance with the permit conditions.

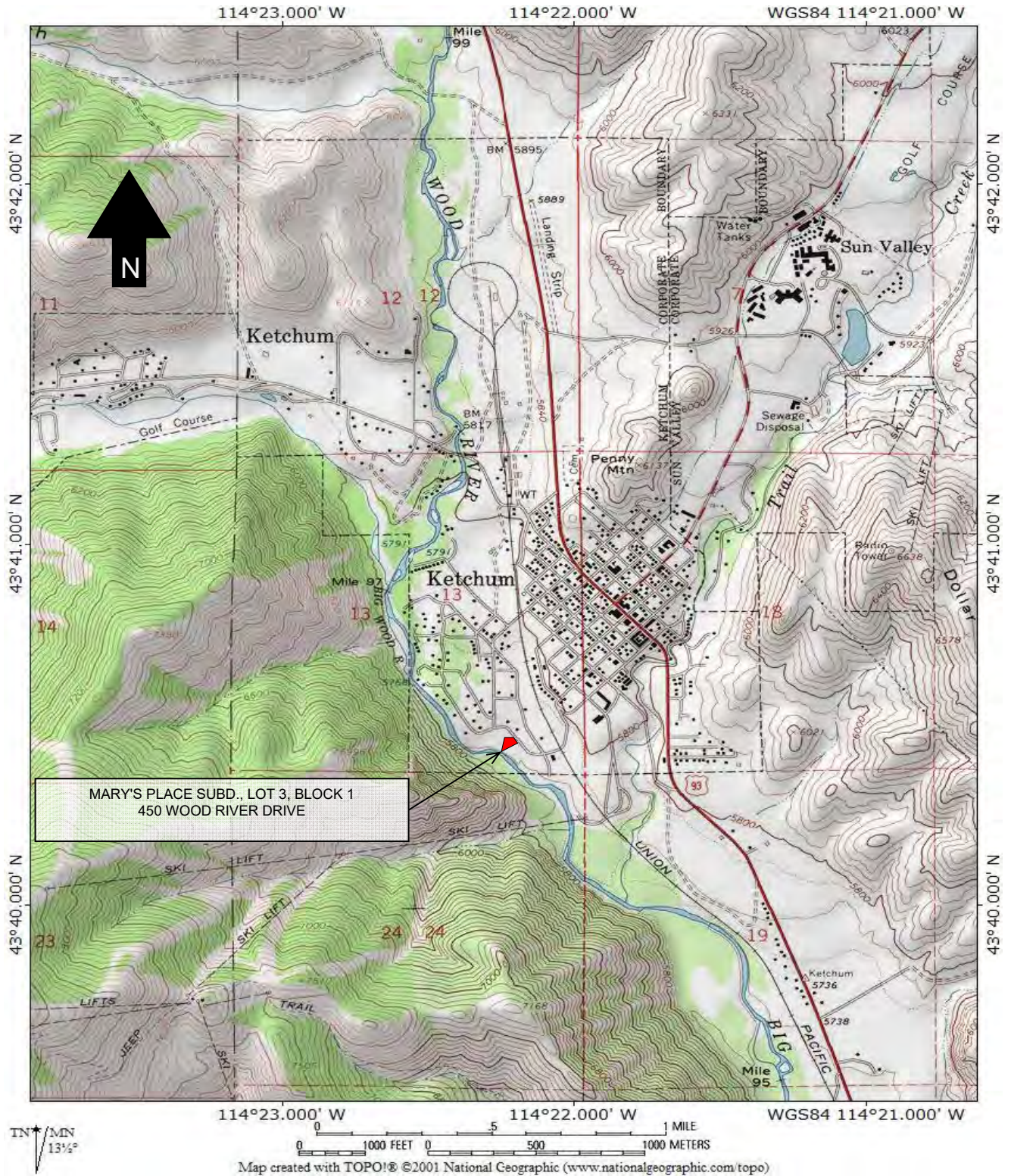
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*Signature of PERMITEE*

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*DATE*

450 - 490 WOOD RIVER, LLC  
 450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT  
 JOINT APPLICATION for PERMITS - PROJECT LOCATION VICINITY MAP



450 - 490 WOOD RIVER , LLC  
 450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1  
 Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

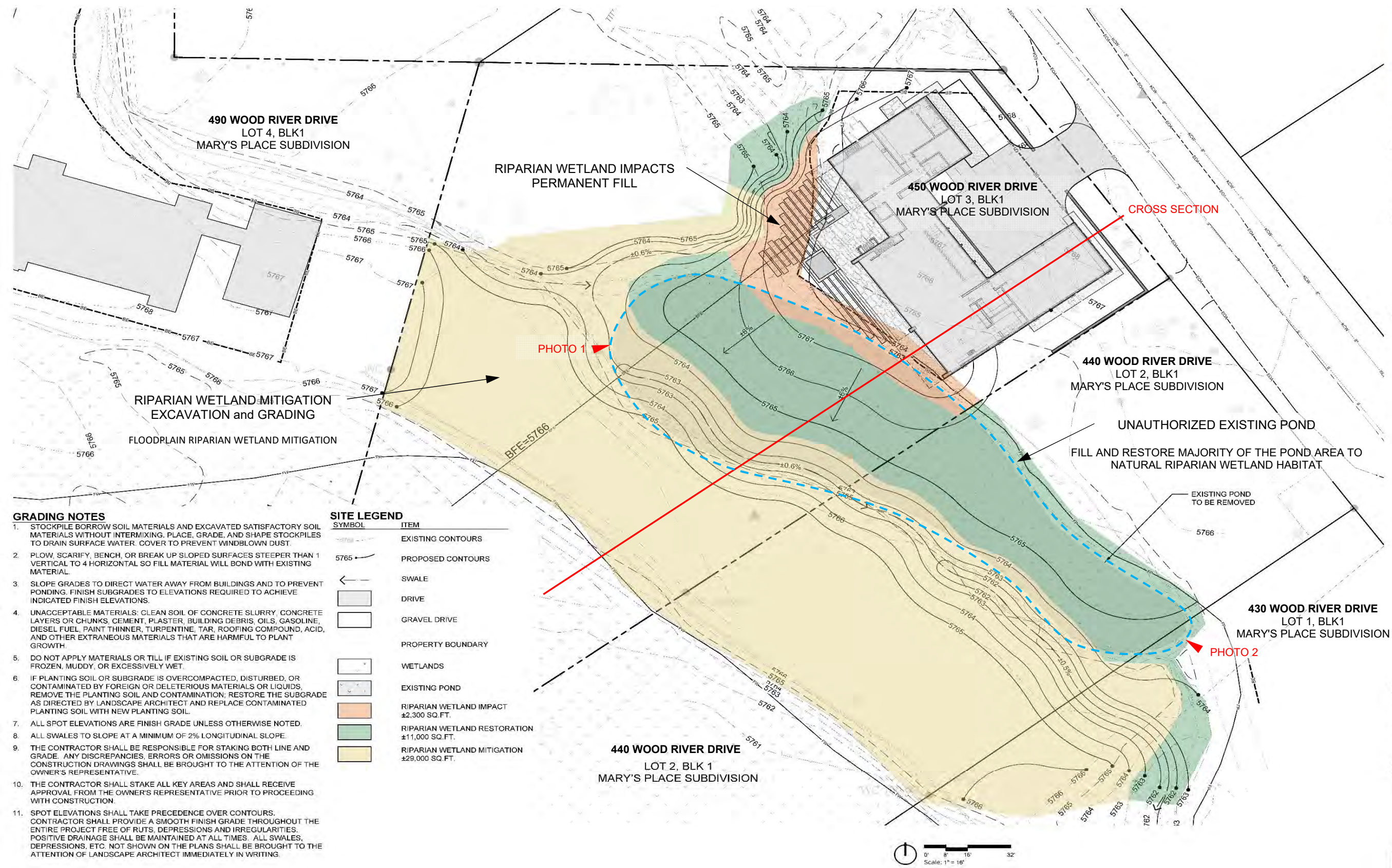


450 - 490 WOOD RIVER, LLC  
 450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT  
 JOINT APPLICATION for PERMITS - SITE PLAN MAP



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PROJECT NUMBER: 2219



**GRADING NOTES**

- STOCKPILE BORROW SOIL MATERIALS AND EXCAVATED SATISFACTORY SOIL MATERIALS WITHOUT INTERMIXING, PLACE, GRADE, AND SHAPE STOCKPILES TO DRAIN SURFACE WATER. COVER TO PREVENT WINDBLOWN DUST.
- PLOW, SCARIFY, BENCH, OR BREAK UP SLOPED SURFACES STEEPER THAN 1 VERTICAL TO 4 HORIZONTAL SO FILL MATERIAL WILL BOND WITH EXISTING MATERIAL.
- SLOPE GRADES TO DIRECT WATER AWAY FROM BUILDINGS AND TO PREVENT PONDING. FINISH SUBGRADES TO ELEVATIONS REQUIRED TO ACHIEVE INDICATED FINISH ELEVATIONS.
- UNACCEPTABLE MATERIALS: CLEAN SOIL OF CONCRETE SLURRY, CONCRETE LAYERS OR CHUNKS, CEMENT, PLASTER, BUILDING DEBRIS, OILS, GASOLINE, DIESEL FUEL, PAINT THINNER, TURPENTINE, TAR, ROOFING COMPOUND, ACID, AND OTHER EXTRANEIOUS MATERIALS THAT ARE HARMFUL TO PLANT GROWTH.
- DO NOT APPLY MATERIALS OR TILL IF EXISTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
- IF PLANTING SOIL OR SUBGRADE IS OVERCOMPACTED, DISTURBED, OR CONTAMINATED BY FOREIGN OR DELETERIOUS MATERIALS OR LIQUIDS, REMOVE THE PLANTING SOIL AND CONTAMINATION; RESTORE THE SUBGRADE AS DIRECTED BY LANDSCAPE ARCHITECT AND REPLACE CONTAMINATED PLANTING SOIL WITH NEW PLANTING SOIL.
- ALL SPOT ELEVATIONS ARE FINISH GRADE UNLESS OTHERWISE NOTED.
- ALL SWALES TO SLOPE AT A MINIMUM OF 2% LONGITUDINAL SLOPE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR STAKING BOTH LINE AND GRADE. ANY DISCREPANCIES, ERRORS OR OMISSIONS ON THE CONSTRUCTION DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL STAKE ALL KEY AREAS AND SHALL RECEIVE APPROVAL FROM THE OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH CONSTRUCTION.
- SPOT ELEVATIONS SHALL TAKE PRECEDENCE OVER CONTOURS. CONTRACTOR SHALL PROVIDE A SMOOTH FINISH GRADE THROUGHOUT THE ENTIRE PROJECT FREE OF RUTS, DEPRESSIONS AND IRREGULARITIES. POSITIVE DRAINAGE SHALL BE MAINTAINED AT ALL TIMES. ALL SWALES, DEPRESSIONS, ETC. NOT SHOWN ON THE PLANS SHALL BE BROUGHT TO THE ATTENTION OF LANDSCAPE ARCHITECT IMMEDIATELY IN WRITING.

**SITE LEGEND**

SYMBOL	ITEM
- - -	EXISTING CONTOURS
—	PROPOSED CONTOURS
←	SWALE
▭	DRIVE
▭	GRAVEL DRIVE
▭	PROPERTY BOUNDARY
▭	WETLANDS
▭	EXISTING POND
▭	RIPARIAN WETLAND IMPACT ±2,300 SQ. FT.
▭	RIPARIAN WETLAND RESTORATION ±11,000 SQ. FT.
▭	RIPARIAN WETLAND MITIGATION ±29,000 SQ. FT.

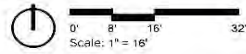
DATE	ISSUE
2022.11.30	PD SET
2023.01.27	PD SET
2023.02.14	REV. GRADING
2023.02.22	REV. GRADING
2023.03.16	REV.

SHEET TITLE

SITE WETLAND IMPACT

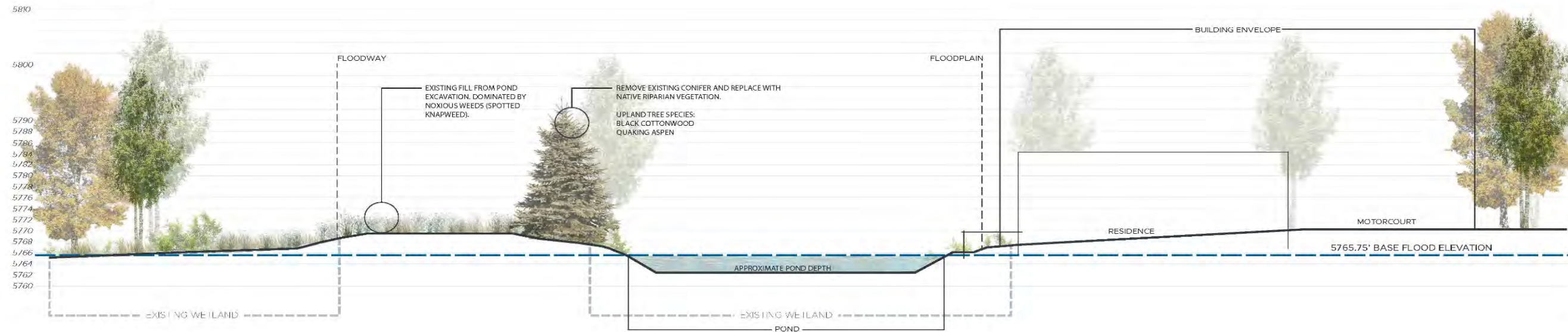
SHEET 2 OF 3  
**L-2.01**

450 WOOD RIVER DRIVE  
 KETCHUM, ID



450 - 490 WOOD RIVER, LLC  
 450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT  
 JOINT APPLICATION for PERMITS - WETLAND CROSS SECTION

EXISTING CONDITIONS

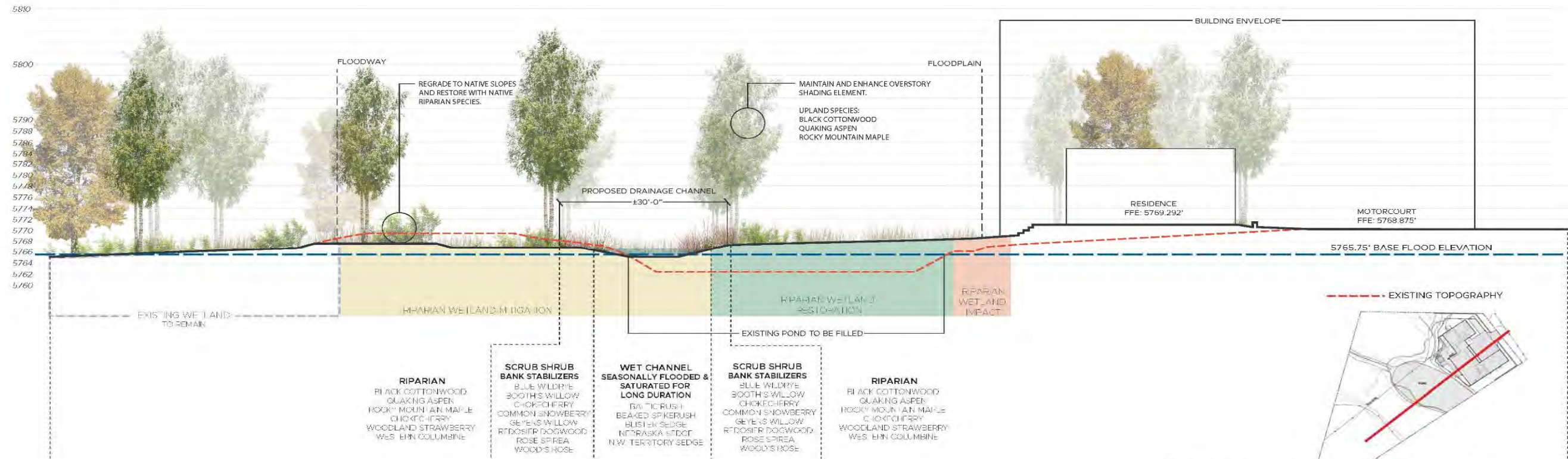


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PROJECT NUMBER: 2219

PROPOSED CONDITIONS



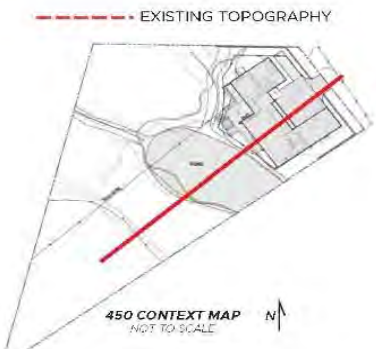
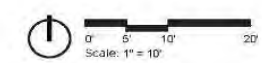
450 WOOD RIVER DRIVE  
 KETCHUM, ID

DATE	ISSUE
2022.11.30	PD SET
2023.01.27	PD SET
2023.02.14	REV. GRADING
2023.03.09	REV.
2023.03.16	REV.

SHEET TITLE

CROSS SECTION

SHEET 3 OF 3  
**L-2.03**



WETLAND CROSS SECTION

450 - 490 Wood River Drive, LLC - Joint Application for Permits, March 14, 2023.

450 - 490 WOOD RIVER, LLC  
 450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1,  
 Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

450 - 490 WOOD RIVER, LLC  
450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT  
JOINT APPLICATION for PERMITS - PHOTO EXHIBIT



PHOTO 1 - 450 WOOD RIVER DRIVE. Existing unauthorized pond [WOTUS] and associated site characteristics. Looking east towards existing residential infrastructure and proposed building site (Latham - Brockway Eng. August 2022).

450 - 490 WOOD RIVER , LLC  
450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1  
Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

PHOTO EXHIBIT

450 - 490 Wood River Drive, LLC - Joint Application for Permits, March 14, 2023.

450 - 490 WOOD RIVER, LLC  
450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT  
JOINT APPLICATION for PERMITS - PHOTO EXHIBIT



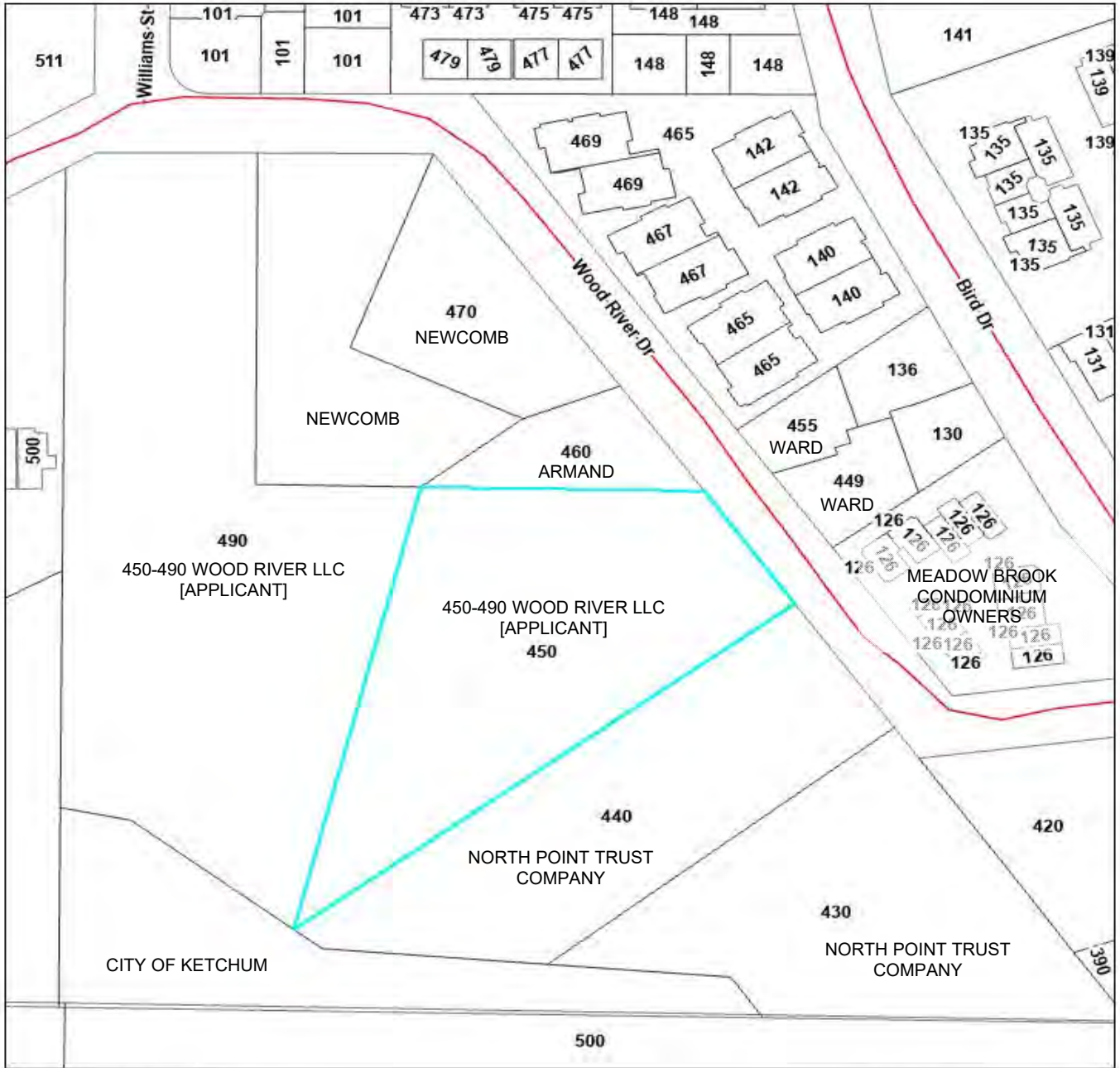
PHOTO 2 - 450 WOOD RIVER DRIVE. Existing unauthorized pond [WOTUS] and associated site characteristics. Looking north from existing pond outlet (Latham - Brockway Eng. August 2022).

450 - 490 WOOD RIVER , LLC  
450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1  
Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

PHOTO EXHIBIT

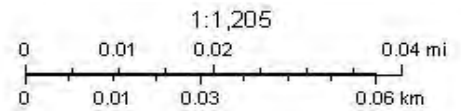
450 - 490 Wood River Drive, LLC - Joint Application for Permits, March 14, 2023.

450 - 490 WOOD RIVER, LLC  
 450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT  
 JOINT APPLICATION for PERMITS - ADJACENT LANDOWNER MAP



3/14/2023, 4:21:30 PM

- Parcels
- Roads



450 - 490 WOOD RIVER , LLC  
 450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1  
 Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

ADJACENT LANDOWNER MAP

450 - 490 Wood River Drive, LLC - Joint Application for Permits, March 14, 2023.

SHEET 10 OF 10

# NATIONWIDE PERMIT 29

## **Residential Developments:**

Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

*Subdivisions:* For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

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## **WATER QUALITY CERTIFICATION, NWP 29:**

Agency responsible for administration of water quality, based on project location is listed below. If **DENIED**, then an Individual Water Quality Certification or Waiver of Certification is required, prior to the commencement of any work activities and/or issuance of a DA verification, authorization and/or permit.

**State of Idaho: PARTIALLY DENIED;**

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in a loss in excess of ½ acre of jurisdictional wetlands

**Coeur d'Alene Tribal Lands: DENIED**

**Shoshone-Bannock Tribal Lands: DENIED**

**U.S. Environmental Protection Agency for all other Tribal Lands: DENIED**

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**2021 Nationwide Permits  
Regional Conditions  
Walla Walla District Regulatory Division (State of Idaho)**

March 15, 2021

The following Nationwide Permit (NWP) regional conditions are required in the state of Idaho and apply to all 2021 NWPs<sup>1</sup>. Regional conditions are established by individual Corps Districts to ensure projects result in no more than minimal adverse impacts to the aquatic environment and to address local resources concerns. This document also includes regional additions to the NWP General Conditions, notification procedures pertaining to certain NWP's, and regional additions to the definitions.

**REGIONAL CONDITIONS**

A. Watersheds Requiring Pre-Construction Notification, Specific to Anadromous Fish

This Regional Condition applies to all 2021 NWPs.

- Pre-construction notification (PCN) will be required for the above listed nationwide permits in the geographic area as shown on Figure 1: *Watersheds Requiring Pre-Construction Notification*, dated January 6, 2021.

B. Vegetation Preservation and Replanting

- To avoid impacts to aquatic habitat and to reduce sedimentation and erosion, permittee shall avoid and minimize the removal of vegetation in waters of the U.S. to the maximum extent practicable. Areas subject to temporary vegetation removal in waters of the U.S. during construction shall be replanted with appropriate native<sup>2</sup> species by the end of the first growing season, unless conditioned otherwise. Permittee shall avoid introducing or spreading noxious or invasive plants<sup>3</sup>.
- Replanted vegetation that does not survive the first growing season shall be replanted before the end of the next growing season. Re-plantings shall continue to occur until desired vegetation densities are achieved. Re-vegetation densities should be based on reference conditions.

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<sup>1</sup> For the list of 2017 Nationwide Permits please see: <https://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Nationwide-Permits/>

<sup>2</sup> Idaho Department of Transportation, Native Plants for Idaho Roadside Restoration and Revegetation Programs: [https://itd.idaho.gov/wp-content/uploads/2016/06/RP171Roadside\\_Revegetation.pdf](https://itd.idaho.gov/wp-content/uploads/2016/06/RP171Roadside_Revegetation.pdf)

<sup>3</sup> U.S. Department of Agriculture, Natural Resource Conservation Service Plant Database of introduced, invasive, and noxious plants for Idaho: <https://plants.usda.gov/java/noxious?rptType=State&statefips=16>.



### C. De-watering & Re-watering (as applicable)

- Cofferdams shall be constructed of non-erosive material such as concrete jersey barriers, bulk bags, water bladders, sheet pile, and other similar non-erosive devices. Cofferdams may not be constructed by using mechanized equipment to push streambed material through flowing water.
- Diversion channels constructed to bypass flow around the construction site shall be lined with plastic, large rock, pipe or otherwise protected from erosion prior to releasing flows into or through the diversion channel.
- Water removed from within the coffered area shall be pumped to a sediment basin or otherwise treated to remove suspended sediments prior to its return to the waterway.
- To prevent unwanted passage of state or federally-protected fish, if present, from the coffered area, Water pipe intakes shall be screened with openings measuring < 3/32 inch to prevent entrainment of fish trapped in the coffered area.
- Should fish be present within the coffered areas contact your local Idaho Department of Fish and Game (IDFG) office prior to performing fish removal or salvage. Fish shall be collected by electrofishing, seining or dip net, or otherwise removed and returned to the waterway upstream of the project area. If electrofishing is used, the National Marine Fisheries Service (NMFS) guidelines for electrofishing should be followed<sup>4</sup>, unless conditioned otherwise.
- Stream channels that have been dewatered during project construction shall be re-watered slowly to avoid lateral and vertical erosion of the de-watered channel, prevent damage to recently reclaimed work areas and/or damage to permitted work.
- Temporary stockpiles in waters of the United States shall be removed in their entirety so as not to form a berm or levee parallel to the stream that could confine flows or restrict overbank flow to the floodplain.

### D. In-Water Structures and Complexes

- PCN notification in accordance with General Condition 32 is required for all non-federal applicants with activities involving gabion baskets placed below the ordinary high water mark.
- Stream meanders, riffle and pool complexes, pool stream structures, rock/log barbs, rock J-hooks, drop structures, sills, engineered log jams or similar structures/features when used shall be site specifically designed by an appropriate professional with experience in hydrology or fluvial geomorphology.

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<sup>4</sup> Guidelines for Electrofishing Waters Containing Salmonids Listed Under the Endangered Species Act (June 2000)  
[https://archive.fisheries.noaa.gov/wcr/publications/reference\\_documents/esa\\_refs/section4d/electro2000.pdf](https://archive.fisheries.noaa.gov/wcr/publications/reference_documents/esa_refs/section4d/electro2000.pdf)

#### E. Temporary Sidecasting

- Materials from exploratory trenching and installation of utility lines may be temporarily side cast into a de-watered coffered area for up to 30 days but not within flowing waters. Material from exploratory trenching and installation of utility lines in wetlands may be temporarily side cast for up to 30 days.

#### F. Suitability of Sediments for Open Water Disposal and us as Fill

- Sampling for determination of suitability of sediments for open water disposal or for use as fill, must comply with the Sediment Evaluation Framework for the Pacific Northwest (SEF)<sup>5</sup>.

#### G. Avoidance and Minimization

- In addition to information required under General Condition 32(b), the applicant shall include information about previous discharges of fill material into waters of the United States within the project area. This is only for non-federal applicants where a PCN is required.
- Discharges of dredged or fill material into waters of the U.S., including wetlands, to meet set back requirements are not authorized under NWP.

#### H. Erosion Control

- Erosion control blanket or fabric used in or adjacent to waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless conditioned otherwise. If the applicant proposes to use materials other than as indicated above they must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety.

#### I. Reporting Requirement for Federal Permittees

- Federal Agencies with projects that require compensatory mitigation for loss of waters of the U.S. and who propose to purchase credits from an approved wetland and/or stream mitigation bank must provide proof of purchase within 30 days of when the credits were purchased. Purchase of credits from an approved mitigation bank must be IAW the Mitigation Banking Instrument of Record.

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<sup>5</sup> Northwest Regional Sediment Evaluation Team (RSET) 2016. Sediment Evaluation Framework for the Pacific Northwest. Prepared by the RSET Agencies, July 2016, 160 pp plus appendices. <http://nwd.usace.army.mil/Missions/Civil-Works/Navigation/RSET/SEF>

## REGIONAL ADDITIONS TO THE GENERAL CONDITIONS

General Condition 4. Migratory Bird Breeding Areas. Regional Addition: For additional information please contact the US Fish and Wildlife Service at the following field office locations: State Office (Boise) at (208) 387-5243; Northern Idaho Field Office (Spokane) at (509) 891-6839; or the Eastern Idaho Field Office (Chubbuck) at (208) 237-6975.  
<https://www.fws.gov/idaho/promo.cfm?id=177175802>

General Condition 6. Suitable Material. Regional Addition: Erosion control blanket or fabric used in or adjacent to waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless conditioned otherwise. If the applicant proposes to use materials other than as indicated above they must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety.

General Condition 9. Management of Water Flows. Regional Addition: To obtain information on State of Idaho definition of high water refer to Idaho Department of Water Resources (IDAPA 37.03.07. Rule 62.03.04.a). For culverts or bridges located in a community qualifying for the national flood insurance program, the minimum size culvert shall accommodate the 100-year flood design flow frequency (IDAPA 37.03.07. Rule 62.03.04.c).

General Condition 12. Soil Erosion and Sediment Controls. Regional Addition: For additional information refer to the Idaho Department of Environmental Quality Catalog of Stormwater Best Management Practices for Idaho Cities and Counties, available online at: <https://www.deq.idaho.gov/public-information/laws-guidance-and-orders/guidance/>.

General Condition 18. Endangered Species. Regional Addition: For additional information on ESA listed species in north Idaho please contact the US Fish and Wildlife Service (USFWS) Northern Idaho Field Office (Spokane) at (509) 893-8009, for all other counties in Idaho contact the USFWS State Office (Boise) at (208) 378-5388.

General Condition 20. Historic Properties. Regional Addition: Property is generally considered "historic" if it is at least 50 years old, and is not limited to buildings. For additional information on the potential for cultural resources in proximity to the project site, contact the Idaho State Historic Preservation Office at (208) 334-3847 located in Boise, Idaho.

## NOTIFICATION PROCEDURES BY THE CORPS FOR CERTAIN NATIONWIDE PERMITS

**Waivers:** For nationwide permits with a waiver provision, District coordination with Idaho Department of Environmental Quality (IDEQ) and Environmental Protection Agency (tribal lands) will be conducted prior to the District Engineer making a waiver determination to ensure the proposed activity is in compliance with Section 401 Water Quality Standards.

**Select Waters and Wetlands:** The Corps will coordinate with the Idaho Department of Fish and Game (IDFG) for activities in the following waters and wetlands that require notification and are authorized by NWP:

- Waters: Anadromous waters as shown on Figure 1: *Watersheds Requiring Pre-Construction Notification*, dated January 6, 2021; Henry's Fork of the Snake River and its tributaries; South Fork Snake River and its tributaries; Big Lost River and its tributaries upstream of the US 93 crossing; Beaver, Camas, and Medicine Lodge Creeks; Snake River; Blackfoot River above Blackfoot Reservoir; Portneuf River; Bear River; Boise River including South Fork, North Fork and Middle Fork; Payette River including South Fork, North Fork and Middle Fork; Coeur d'Alene River, including the North Fork; St. Joe River; Priest River; Kootenai River; Big Wood River; and Silver Creek and its tributaries.
- Wetlands identified in Idaho Department of Fish and Game, Wetland Conservation Strategy as Class I, Class II and Reference Habitat Sites<sup>6</sup>.
- Wetlands identified in the Idaho Wetland Conservation Prioritization Plan-2012<sup>7</sup>.

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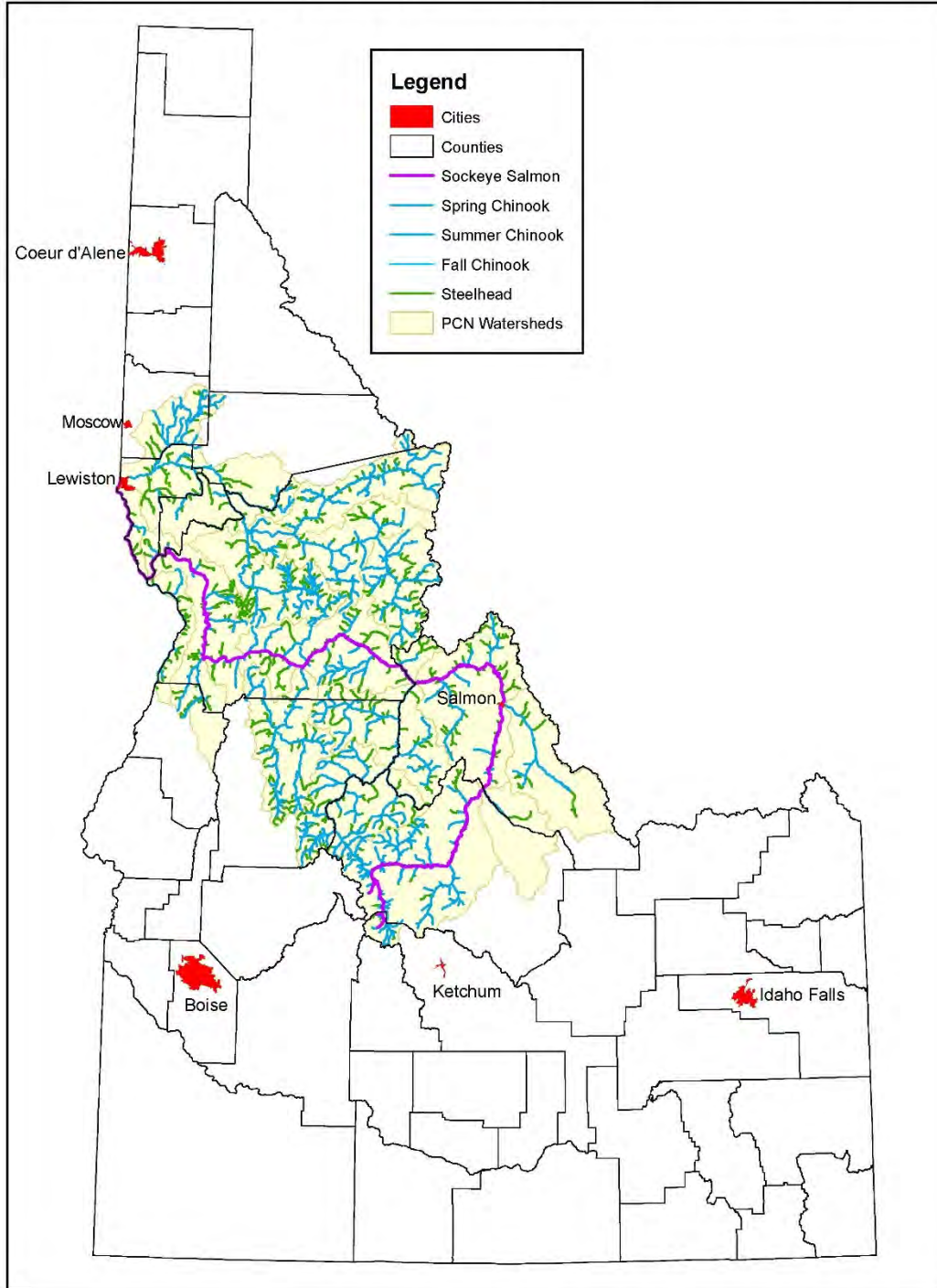
<sup>6</sup> Idaho Department of Fish and Game (IDFG) Wetland Conservation Strategies have been developed for the Henrys Fork Basin, Northern Idaho, Big Wood River, Southeast Idaho, East-Central Idaho and Spokane River Basin, Middle and Western Snake River and tributaries, and the Upper Snake River-Portneuf Drainage, Weiser River Basin, and West Central Mountain Valleys and adjacent wetlands. Closed basins of Beaver-Camas Creeks, Medicine Lodge Creek, Palouse River and lower Clearwater River sub-basins, Middle Fork and South Fork Clearwater Basins and Camas Prairie in northern Idaho. Refer to the internet site at: <http://fishandgame.idaho.gov/content/page/wetlands-publications-idaho-natural-heritage-program#reports>

<sup>7</sup> Murphy, C., J. Miller and A. Schmidt. 2012. <https://idfg.idaho.gov/species/bibliography/project/wetlands>

Figure 1



# Watersheds Requiring Pre-Construction Notification



6 January 2021

## 2021 Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

## **1. Navigation**

(a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

## **2. Aquatic Life Movements**

No activity may substantially disrupt the necessary life

cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

## **3. Spawning Areas**

Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

## **4. Migratory Bird Breeding Areas**

Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

## **5. Shellfish Beds**

No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

## **6. Suitable Material**

No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

## **7. Water Supply Intakes**

No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

## **8. Adverse Effects From Impoundments**

If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

### **9. Management of Water Flows**

To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

### **10. Fills Within 100-Year Floodplains**

The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

### **11. Equipment**

Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

### **12. Soil Erosion and Sediment Controls**

Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

### **13. Removal of Temporary Structures and Fills**

Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

### **14. Proper Maintenance**

Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district

engineer to an NWP authorization.

### **15. Single and Complete Project**

The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

### **16. Wild and Scenic Rivers**

(a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency



with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

#### **17. Tribal Rights**

No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

#### **18. Endangered Species**

(a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a

species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding "activities that are reasonably certain to occur" and "consequences caused by the proposed action."

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate

documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be

affected by the proposed activity. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have “no effect” on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific

permit conditions to the NWP.

(e) Authorization of an activity by an NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should

provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at

<http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

### **19. Migratory Birds and Bald and Golden Eagles**

The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

### **20. Historic Properties**

(a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own

procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the

potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)).

Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106

consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects

properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

#### **21. Discovery of Previously Unknown Remains and Artifacts**

Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

#### **22. Designated Critical Resource Waters**

Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment,

additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

### **23. Mitigation**

The district engineer will consider the following

factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-

construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of

streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a

riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)).

However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14)

must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of

components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no

mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

#### **24. Safety of Impoundment Structures**

To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have

been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

### **25. Water Quality**

(a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a

water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

### **26. Coastal Zone Management.**

In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence

in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

### **27. Regional and Case-By-Case Conditions**

The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

### **28. Use of Multiple Nationwide Permits**

The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated



bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

**29. Transfer of Nationwide Permit Verifications**

If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached

to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

\_\_\_\_\_  
\_\_\_\_\_  
(Transferee)

\_\_\_\_\_  
\_\_\_\_\_  
(Date)

**30. Compliance Certification**

Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of

ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory

mitigation, whichever occurs later.

**31. Activities Affecting Structures or Works Built by the United States**

If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

**32. Pre-Construction Notification**

(a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined

to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

- (1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or
- (2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that

listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification:*  
The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed activity;
- (3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;
- (4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of

the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually

clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining

why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on,

determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river” (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request

for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification:* The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) *Agency Coordination:* (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity’s compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity’s adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii)

NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's

compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery

Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.



**STATE OF IDAHO**  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 N Hilton Street, Boise, ID 83706  
(208) 373-0502

Brad Little, Governor  
Jess Byrne, Director

December 4, 2020

Kelly J. Urbanek, Chief  
U.S. ACOE Regulatory Division  
Walla Walla District  
720 East Park Boulevard, Suite 245  
Boise, Idaho 83712-7757

Subject: Final §401 Water Quality Certification for 2020 Nationwide Permits in Idaho

Dear Ms. Urbanek:

Enclosed please find the Idaho Department of Environmental Quality (DEQ) final water quality certification for the 2020 Nationwide Permits in Idaho. DEQ offered a 21-day public comment period, beginning on November 2, 2020, and ending on November 23, 2020.

DEQ received a single comment letter. After review of the comments received, minor modifications were made to the final certification in order to provide additional clarity.

If you have any questions or concerns regarding this certification, please contact Jason Pappani at (208) 373-0515 or via email at [jason.pappani@deq.idaho.gov](mailto:jason.pappani@deq.idaho.gov).

Sincerely,

A handwritten signature in blue ink that reads "Mary Anne Nelson".

Mary Anne Nelson, PhD  
Surface and Wastewater Division Administrator

MAN:JP:lf

cc: Jason Pappani, DEQ State Office  
DEQ Regional Administrators  
James Joyner, ACOE Walla Walla District  
Brent King, Idaho Attorney General's Office



## Idaho Department of Environmental Quality Final §401 Water Quality Certification

December 4, 2020

*2020 U.S. Army Corps of Engineers §404 Nationwide Permits (NWPs)*

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Pursuant to the provisions of Section 401(a)(1) of the Federal Water Pollution Control Act (Clean Water Act), as amended; 33 U.S.C. Section 1341(a)(1); and Idaho Code §§ 39-101 et seq. and 39-3601 et seq., the Idaho Department of Environmental Quality (DEQ) has authority to review activities receiving Section 404 dredge and fill permits and issue water quality certification decisions.

Based upon its review of the proposed 2020 Nationwide Permits published in the Federal Register on September 15, 2020, DEQ certifies that if the permittee complies with the terms and conditions imposed by the permits, including the Regional Conditions set forth by the Army Corps of Engineers (ACOE), along with the conditions set forth in this water quality certification, then activities will comply with the applicable water quality requirements of Sections 301, 302, 303, 306, and 307 of the Clean Water Act, the Idaho Water Quality Standards (WQS) (IDAPA 58.01.02), and other appropriate water quality requirements of state law.

This certification does not constitute authorization of the permitted activities by any other state or federal agency or private person or entity. This certification does not excuse the permit holder from the obligation to obtain any other necessary approvals, authorizations, or permits, including without limitation, the approval from the owner of a private water conveyance system, if one is required, to use the system in connection with the permitted activities.

### **1 Antidegradation Review**

The WQS contain an antidegradation policy providing three levels of protection to water bodies in Idaho (IDAPA 58.01.02.051).

- **Tier I Protection.** The first level of protection applies to all water bodies subject to Clean Water Act jurisdiction and ensures that existing uses of a water body and the level of water quality necessary to protect those existing uses will be maintained and protected (IDAPA 58.01.02.051.01; 58.01.02.052.01). Additionally, a Tier I review is performed for all new or reissued permits or licenses (IDAPA 58.01.02.052.07).
- **Tier II Protection.** The second level of protection applies to those water bodies considered high quality and ensures that no lowering of water quality will be allowed unless deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

- Tier III Protection. The third level of protection applies to water bodies that have been designated outstanding resource waters and requires that activities not cause a lowering of water quality (IDAPA 58.01.02.051.03; 58.01.02.052.09).

DEQ is employing a water body by water body approach to implementing Idaho's antidegradation policy. This approach means that any water body fully supporting its beneficial uses will be considered high quality (IDAPA 58.01.02.052.05.a). Any water body not fully supporting its beneficial uses will be provided Tier I protection for that use, unless specific circumstances warranting Tier II protection are met (IDAPA 58.01.02.052.05.c). The most recent federally approved Integrated Report and supporting data are used to determine support status and the tier of protection (IDAPA 58.01.02.052.05).

### **1.1 Pollutants of Concern**

The primary pollutant of concern, for projects permitted under the 2020 NWP's administered by the ACOE, is sediment. In locations where heavy metals are present due to mining activities, or where high concentrations of nutrients may be associated with sediments, additional considerations may be necessary. If the project reduces riparian vegetation, then temperature (thermal loading) may also be of concern.

The procedures outlined in the Sediment Evaluation Framework for the Pacific Northwest<sup>1</sup> may be applied to assess and characterize sediment to determine the suitability of dredged material for unconfined aquatic placement, to determine the suitability of post dredge surfaces, and to predict effects on water quality during dredging (See Section 2.4 for more details).

As part of the Section 401 water quality certification, DEQ is requiring the applicant to comply with various conditions to protect water quality and to meet Idaho WQS, including the criteria applicable to sediment.

### **1.2 Receiving Water Body Level of Protection**

The ACOE NWP's authorize construction activities in waters of the United States. In Idaho, jurisdictional waters of the state can potentially receive discharges either directly or indirectly from activities authorized under the NWP's. DEQ applies a water body by water body approach to determine the level of antidegradation protection a water body will receive. (IDAPA 58.01.02.052.05).

All waters in Idaho that receive discharges from activities authorized under a NWP will receive, at minimum, Tier I antidegradation protection because Idaho's Tier I antidegradation policy applies to all state waters (IDAPA 58.01.02.052.01). Water bodies that fully support their aquatic life or recreational uses are considered *high quality waters* and will receive Tier II antidegradation protection (IDAPA 58.01.02.051.02). Because of the statewide applicability, the antidegradation review will assess whether the NWP permit complies with both Tier I and Tier II antidegradation provisions (IDAPA 58.01.02.052.03).

Although Idaho does not currently have any Tier III designated outstanding resource waters (ORWs), it is possible for a water body to be designated as an ORW during the life of the NWP's.

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<sup>1</sup> Northwest Regional Sediment Evaluation Team (RSET). 2018. Sediment Evaluation Framework for the Pacific Northwest. Prepared by the RSET Agencies, May 2018, 183 pp plus appendices.



Because of this potential, the antidegradation review also assesses whether the permit complies with the outstanding resource water requirements of Idaho’s antidegradation policy (IDAPA 58.01.02.051.03).

To determine the support status of the receiving water body, the most recent EPA-approved Integrated Report, available on Idaho DEQ’s website, is to be used:

<http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/>. (IDAPA 58.01.02.052.05).

High quality waters are identified in Categories 1 and 2 of the Integrated Report. If a water body is in either Category 1 or 2, it is a Tier II water body.

Unassessed waters are identified in Category 3 of DEQ’s Integrated Report. These waters require a case by case determination to be made by DEQ based on available information at the time of the application for permit coverage (IDAPA 58.01.02.052.05.b). For activities occurring on unassessed waters under this certification, DEQ has determined that complying with the conditions of the NWP, the regional conditions, and this certification will ensure the provisions of IDAPA 58.01.02.052 are met.

Impaired waters are identified in Categories 4 and 5 of the Integrated Report. Category 4(a) contains impaired waters for which a TMDL has been approved by EPA. Category 4(b) contains impaired waters for which controls other than a TMDL have been approved by EPA. Category 5 contains waters which have been identified as “impaired”, for which a TMDL is needed. These waters are Tier I waters, for the use which is impaired. With the exception, if the aquatic life uses are impaired for any of these three pollutants—dissolved oxygen, pH, or temperature—and the biological or aquatic habitat parameters show a healthy, balanced biological community, then the water body shall receive Tier II protection, in addition to Tier I protection, for aquatic life uses (IDAPA 58.01.02.052.05.c.i).

DEQ’s webpage also has a link to the state’s map-based Integrated Report which presents information from the Integrated Report in a searchable, map-based format:

<http://www.deq.idaho.gov/assistance-resources/maps-data/>.

Water bodies can be in multiple categories for different causes. If assistance is needed in using these tools, or if additional information/clarification regarding the support status of the receiving water body is desired, please feel free to contact your nearest DEQ regional office or the State Office (Table 1).

**Table 1. Idaho DEQ Regional and State Office Contacts**

<i>Regional Office</i>	<i>Address</i>	<i>Phone Number</i>	<i>Email</i>
Boise	1445 N. Orchard Rd., Boise 83706	208-373-0550	<a href="mailto:kati.carberry@deq.idaho.gov">kati.carberry@deq.idaho.gov</a>
Coeur d'Alene	2110 Ironwood Parkway, Coeur d'Alene 83814	208-769-1422	<a href="mailto:chantilly.higbee@deq.idaho.gov">chantilly.higbee@deq.idaho.gov</a>
Idaho Falls	900 N. Skyline, Suite B., Idaho Falls 83402	208-528-2650	<a href="mailto:troy.saffle@deq.idaho.gov">troy.saffle@deq.idaho.gov</a>
Lewiston	1118 "F" St., Lewiston 83501	208-799-4370	<a href="mailto:sujata.connell@deq.idaho.gov">sujata.connell@deq.idaho.gov</a>
Pocatello	444 Hospital Way, #300 Pocatello 83201	208-236-6160	<a href="mailto:matthew.schenk@deq.idaho.gov">matthew.schenk@deq.idaho.gov</a>
Twin Falls	650 Addison Ave. W., Suite 110, Twin Falls 83301	208-736-2190	<a href="mailto:balthasar.buhidar@deq.idaho.gov">balthasar.buhidar@deq.idaho.gov</a>
State Office	1410 N. Hilton Rd., Boise 83706	208-373-0502	<a href="mailto:jason.pappani@deq.idaho.gov">jason.pappani@deq.idaho.gov</a>

### **1.3 Protection and Maintenance of Existing Uses (Tier I Protection)**

A Tier I review is performed for all new or reissued permits or licenses, applies to all waters subject to the jurisdiction of the Clean Water Act, and requires demonstration that existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected (IDAPA 58.01.02.051.01; 052.01 and 04). The numeric and narrative criteria in the WQS are set at levels that ensure protection of existing and designated beneficial uses.

Water bodies not supporting existing or designated beneficial uses must be identified as water quality limited, and a total maximum daily load (TMDL) must be prepared for those pollutants causing impairment (IDAPA 58.01.02.055.02). Once a TMDL is completed, discharges of causative pollutants shall be consistent with the allocations in the TMDL (IDAPA 58.01.02.055.05). Prior to the completion of a TMDL, the WQS require the application of the antidegradation policy and implementation provisions to maintain and protect beneficial uses (IDAPA 58.01.02.055.04).

The general (non-numeric) effluent limitations in the NWP's and associated Regional Conditions for the ACOE Walla Walla District address best management practices (BMP's) aimed at minimizing impacts to the aquatic environment, especially sediment and turbidity impacts including: vegetation protection and restoration, de-watering requirements, erosion and sediment controls, soil stabilization requirements, pollution prevention measures, prohibited discharges, and wildlife considerations. Although the NWP's do not contain specific (numeric) effluent limitations for sediment or turbidity, the conditions identified in the permits and in this water quality certification will ensure compliance with DEQ's water quality standards, including the narrative sediment criteria (IDAPA 58.01.02.200.08) and DEQ's turbidity criteria (IDAPA 58.01.02.250.02.e).

In order to ensure compliance with Idaho WQS, DEQ has included a condition requiring the permittee(s) to comply with Idaho's numeric turbidity criteria, developed to protect aquatic life

uses. The criterion states, “Turbidity shall not exceed background turbidity by more than 50 nephelometric turbidity units (NTU)<sup>2</sup> instantaneously or more than 25 NTU for more than 10 consecutive days” (IDAPA 58.01.02.250.02.e). DEQ is requiring turbidity monitoring when project activities result in a discharge to waters of the United States that causes a visible sediment plume (IDAPA 58.01.02.054.01) (See Section 2.5 for more details).

If an approved TMDL exists for a receiving water body that requires a load reduction for a pollutant of concern, then the project must be consistent with the provisions of that TMDL (IDAPA 58.01.02.055.05).

For authorized activities requiring a pre-construction notification (PCN), the Corps will have the opportunity to evaluate the NWP activities on a case by case basis to ensure that the activity will not cause more than a minimal adverse environmental effect, individually and cumulatively. The Corps has agreed to forward the verification letters to the appropriate DEQ regional office (Table 1) for all authorized activities including the NWP activities that require a PCN. This will better inform DEQ of the authorized activities that are occurring throughout the state and determine if additional conditions will need to be implemented when the ACOE reissues the NWPs.

### 1.3.1 DEQ’s Determination

DEQ concludes that, given the nature of the activities authorized by the 2020 NWPs, such activities will comply with Idaho’s Tier I requirements under IDAPA 58.01.02.051.01 and 58.01.02.052.07, provided the permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWPs, Regional Conditions, and conditions set forth in this water quality certification.

## 1.4 Protection of High-Quality Waters (Tier II Protection)

Water bodies that fully support their beneficial uses are recognized as high-quality waters and will be provided Tier II protection in addition to Tier I protection (IDAPA 58.01.02.051.02; 58.01.02.052.05.a). Water quality parameters applicable to existing or designated beneficial uses must be maintained and protected under Tier II, unless a lowering of water quality is deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

The ACOE does not authorize projects with more than minimal individual and cumulative impacts on the aquatic environment under a NWP (33 U.S.C.A. § 1344(e)). As required by the National Environmental Policy Act (NEPA) the Corps has analyzed the individual and cumulative effects for the NWP activities. DEQ recognizes that short term changes in water quality may occur with respect to sediment as a result of the authorized activities, but has determined that adherence to the terms and conditions imposed by the permits, including the Regional Conditions set forth by the Army Corps of Engineers (ACOE or Corps), along with the conditions set forth in this water quality certification will ensure that there are no long-term adverse changes to water quality or beneficial use support as a result of any activity authorized under this certification (IDAPA 58.01.02.052.03). As a general principle, DEQ believes degradation of water quality should be viewed in terms of permanent or long-term adverse

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<sup>2</sup>NTU is a unit of measure of the concentration of suspended particles in the water (turbidity). It is determined by shining a light through a sample and measuring the incident light scattered at right angles from the sample.

changes. Short-term or temporary reductions in water quality, if reasonable measures are taken to minimize them (such as the certification conditions in Section 2), may occur without triggering a Tier II analysis (IDAPA 58.01.02.052.03; 080.02).

To ensure proposed regulated activities will not cause more than minimal individual and cumulative impacts on the aquatic environment, certain NWP's require project proponents to notify district engineers (in the form of a PCN) of their proposed activities prior to conducting regulated activities. This level of review gives the district engineer the opportunity to evaluate activities on a case by case basis to determine whether additional conditions or mitigation requirements are warranted to ensure that the proposed activity results in no more than the minimal individual and cumulative impacts on the aquatic environment.

DEQ has denied certification for NWP 16, NWP 23, and NWP 53 (see Section 3.1); and for certain activities associated with NWP 3, NWP 12, NWP 13, NWP 14, NWP 21, NWP 29, NWP 39, NWP 40, NWP 42, NWP 43, NWP 44, NWP 50, NWP 51, NWP 52, NWP C, NWP D, and NWP E (see Section 3.2). Projects seeking coverage under these NWP's will need to request individual certification from DEQ. DEQ will consider any additional conditions or denial of certification if necessary to ensure no lowering of water quality occurs for any of these projects proposed on Tier II water.

Additionally, if an authorized project causes a visible sediment plume then turbidity monitoring is required (see Section 2.5 for more details).

#### **1.4.1 DEQ's Determination**

DEQ concludes that the activities authorized by the 2020 NWP's and this certification will comply with Idaho's Tier II requirements under IDAPA 58.01.02.051.02 and 58.01.02.052.08 providing permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWP's, Regional Conditions, and conditions of this water quality certification.

### ***1.5 Protection of Outstanding Resource Waters (Tier III Protection)***

Idaho's antidegradation policy requires that the quality of outstanding resource waters (ORWs) be maintained and protected from the impacts of point and nonpoint source activities (IDAPA 58.01.02.051.03). No water bodies in Idaho have been designated as ORWs to date. Because it is possible waters may become designated during the term of the 2020 NWP's, DEQ has evaluated whether the NWP's comply with the ORW antidegradation provision.

DEQ has denied certification for any activities on any Outstanding Resource Water (ORW) (see Section 3) and is requiring that any activities proposed on an ORW apply for individual certification (see Section 2.3).

#### **1.5.1 DEQ's Determination**

DEQ concludes that the activities authorized by the 2020 NWP's and this certification will comply with Idaho's Tier III requirements under IDAPA 58.01.02.051.03 providing permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWP's, Regional Conditions, and conditions of this water quality certification.

## 2 Conditions Necessary to Ensure Compliance with Water Quality Standards or Other Appropriate Water Quality Requirements of State Law

For all activities covered under this certification, the following conditions are necessary to ensure that permitted projects comply with water quality requirements.

### 2.1 Design, Implementation, and Maintenance of Appropriate Best Management Practices

Best Management Practices (BMPs) must be designed, implemented, and maintained by the permittee to fully protect and maintain the beneficial uses and ambient water quality of waters of the state and to prevent exceedances of WQS (IDAPA 58.01.02.350.01.a).

BMPs must be selected and properly installed. Proper installation and operation of BMPs are required to ensure the provisions of IDAPA 58.01.02.052 are met. In order to ensure that BMPs are operating properly and to demonstrate that degradation has not occurred, the permittee must monitor and evaluate BMP effectiveness daily during project activities to assure that water quality standards are being met.

Approved BMPs for specific activities (mining, forestry, stream channel alteration, etc.) are codified in IDAPA 58.01.02.350. Additionally, DEQ provides a catalog of storm water best management practices, available at: <http://www.deq.idaho.gov/media/60184297/stormwater-bmp-catalog.pdf>. This catalog presents a variety of BMPs that can be used to control erosion and sediment during and after construction. Other sources of information are also available and may be used for selecting project appropriate BMPs.

*This condition is necessary meet the following water quality requirements:*

Control of erosion, sediment, and turbidity to maintain beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)
- Point source wastewater treatment requirements (IDAPA 58.01.02.401.02)

### 2.2 TMDL Compliance

If there is an approved or established TMDL, then the permittee must comply with the established loads in the TMDL. Approved TMDLs can be found on DEQ's website (<https://www.deq.idaho.gov/water-quality/surface-water/tmdls/table-of-sbas-tmdls/>) or by contacting the appropriate regional office contact (Table 1).

*This condition is necessary to meet the following water quality requirements:*

Ensure projects are consistent with waste load and load allocations established in approved TMDLs (IDAPA 58.01.02.055.04 and .05).

### **2.3 Outstanding Resource Waters**

If waters become designated as ORWs during the term of the NWP, a permittee proposing a project on an ORW must contact the appropriate DEQ regional office and apply for individual certification.

*This condition is necessary to meet the following water quality requirements:*

Ensure there is no lowering of water quality in any ORW as required by the Idaho Antidegradation Policy (IDAPA 58.01.02.051.03).

### **2.4 Fill Material**

Material subject to suspension, including suspended dredge material, shall be free of easily suspended fine material. The fill material to be placed in waters of the United States shall be clean material only. If dredged material is proposed to be used as fill material and there is a possibility the material may be contaminated, then the permittee must apply the procedures in the *Sediment Evaluation Framework for the Pacific Northwest* (RSET, 2018) to assess and characterize sediment to determine the suitability of dredged material for unconfined-aquatic placement; determine the suitability of post dredge surfaces; and to predict effects on water quality during dredging.

*This condition is necessary to meet the following water quality requirements:*

Prevent suspension of fine sediment and turbidity in order to provide beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)
- Point source wastewater treatment requirements (IDAPA 58.01.02.401.02)

Prevent suspension of hazardous, toxic, or deleterious materials or other pollutants that may be associated with fill material in order to ensure beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for hazardous materials (IDAPA 58.01.02.200.01), toxic substances (IDAPA 58.01.02.200.02), deleterious materials (IDAPA 58.01.02.200.03), excess nutrients (IDAPA 58.01.02.200.06), or oxygen demanding materials (IDAPA 58.01.02.200.09)
- Numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210)

## 2.5 Turbidity

If no visible sediment plume is present, it is reasonable to assume that there is no potential violation of the water quality criteria for turbidity (IDAPA 58.01.02.250.02.e). Therefore, turbidity monitoring is only required when activities cause a visible sediment plume.

A properly and regularly calibrated turbidimeter is required for measurements analyzed in the field, but grab samples may be collected and taken to a laboratory for analysis. When monitoring is required a sample must be taken at an undisturbed area immediately up-current from in-water disturbance or discharge to establish background turbidity levels. Background turbidity, latitude/longitude, date, and time must be recorded prior to monitoring down-current. Then a sample must be collected immediately down-current from the in-water disturbance or point of discharge and within any visible sediment plume. The turbidity, latitude/longitude, date, and time must be recorded for each sample. The downstream sample must be taken immediately following the upstream sample in order to obtain meaningful and representative results.

Results from the down-current sampling point must be compared to the up-current or background level to determine whether project activities are causing an exceedance of state WQS. If the downstream turbidity is 50 NTUs or more greater than the upstream turbidity, then the project is causing an exceedance of the WQS (IDAPA 58.01.02.250.02.e). Any exceedance of the turbidity standard must be reported to the appropriate DEQ regional office (Table 1) within 24 hours.

The following steps should be followed to ensure compliance with the turbidity standard:

1. If a visible plume is observed, collect turbidity measurements at 1) an upstream location; and, 2) from within the plume, and compare the results to Idaho's instantaneous numeric turbidity criterion (50 NTU over background).
2. If turbidity in the plume is less than 50 NTU instantaneously over the background turbidity continue monitoring as long as the plume is visible. If turbidity exceeds background turbidity by more than 50 NTU instantaneously then stop all earth disturbing construction activities immediately and proceed to Step 3. If turbidity exceeds background turbidity by more than 25 NTU, or if a visible plume is observed for more than 10 consecutive days, then stop all earth disturbing construction activities and proceed to Step 3.
3. Notify the appropriate DEQ regional office within 24 hours of any turbidity criteria exceedance. Take action to address the cause of the exceedance. That may include inspecting the condition of project BMPs. If the BMPs are functioning to their fullest capability, then the permittee must modify project activities and/or BMPs to correct the exceedance.
4. Earth disturbing activities may continue once turbidity readings return to within 50 NTU over background instantaneously; or, if turbidity has exceeded 25 NTU over background for more than ten consecutive days, once turbidity readings have no longer exceeded 25 NTU over background for at least 24 consecutive hours.

Copies of daily logs for turbidity monitoring must be available to DEQ upon request. The report must describe all exceedances and subsequent actions taken, including the effectiveness of the action.

*This condition is necessary to meet the following water quality requirements:*

Ensure that activities do not impair beneficial uses, and ensure and document compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)

## **2.6 Mixing Zones**

No mixing zones are authorized through this certification. If a mixing zone, or alternatively, a point of compliance, is desired, the permittee must apply for an individual certification and must contact the appropriate DEQ regional office (Table 1) to request authorization for a mixing zone.

*This condition is necessary to meet the following water quality requirements:*

Ensure any mixing zone is properly authorized in accordance with the Idaho Mixing Zone Policy (IDAPA 58.01.02.060).

## **2.7 Culverts**

To prevent road surface and culvert bedding material from entering a stream, culvert crossings must include best management practices to retain road base and culvert bedding material. For perennial waters, the permittee should consider the Idaho Stream Channel Alterations rules (IDAPA 37.03.07). Another source of BMPs for culvert installation can be found in the Idaho Forest Practices Act (IDAPA 20.20.01). Examples of best management practices include, but are not limited to: parapets, wing walls, inlet and outlet rock armoring, compaction, suitable bedding material, anti-seep barriers such as bentonite clay, or other acceptable roadway retention systems.

*This condition is necessary to meet the following water quality requirements:*

Control of erosion, sediment, and turbidity to provide beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)

## **2.8 Wood Preservatives**

DEQ's [Guidance for the Use of Wood Preservatives and Preserved Wood Products In or Around Aquatic Environments](#) must be considered when using treated wood materials in the aquatic environment. Within this guidance document DEQ references the [Best Management Practices](#)



[\*for the Use of Treated Wood in Aquatic and Wetland Environments\*](#)<sup>3</sup>. This document provides recommended guidelines for the production and installation of treated wood products destined for use in sensitive environments.

*This condition is necessary to meet the following water quality requirements:*

Ensure that toxic chemicals are not introduced into waters and to ensure compliance with the following water quality standards:

- General Surface Water Criteria for hazardous materials (IDAPA 58.01.02.200.01), toxic substances (IDAPA 58.01.02.200.02), and deleterious materials (IDAPA 58.01.02.200.03)
- Numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210)

## **2.9 Reporting of Discharges Containing Hazardous Materials or Deleterious Materials**

All spills of hazardous material, deleterious material or petroleum products which may impact waters (ground and surface) of the state shall be immediately reported. Call 911 if immediate assistance is required to control, contain or clean up the spill. If no assistance is needed in cleaning up the spill, contact the appropriate DEQ regional office in Table 2 during normal working hours or Idaho State Communications Center after normal working hours. If the spilled volume is above federal reportable quantities, contact the National Response Center.

For immediate assistance: Call 911

National Response Center: (800) 424-8802

Idaho State Communications Center: (800) 632-8000

**Table 2. Idaho DEQ regional contacts for reporting discharge or spill of hazardous or deleterious materials.**

<i>Regional Office</i>	<i>Toll Free Phone Number</i>	<i>Phone Number</i>
Boise	888-800-3480	208-373-0550
Coeur d'Alene	877-370-0017	208-769-1422
Idaho Falls	800-232-4635	208-528-2650
Lewiston	877-541-3304	208-799-4370
Pocatello	888-655-6160	208-236-6160
Twin Falls	800-270-1663	208-736-2190

<sup>3</sup> Western Wood Preservers Institute, Wood Preservation Canada, Southern Pressure Treaters' Association, and Southern Forest Products Association. 2011. "Best Management Practices: For the Use of Treated Wood in Aquatic and Wetland Environments" Vancouver, WA: Western Wood Preservers Institute.

*This condition is necessary to meet the following water quality requirements:*

Ensure compliance with the following water quality standards:

- Hazardous Material Spills (IDAPA 58.01.02.850)
- Petroleum release reporting, investigation, and confirmation (IDAPA 58.01.02.851)
- Petroleum release response and corrective action (IDAPA 58.01.02.852)

## **2.10 Other Conditions**

This certification is conditioned upon the requirement that if there are material modifications of the NWP or the permitted activities—including without limitation, significant changes from the draft NWP to final NWP, or significant changes to the draft Regional Conditions, then DEQ must re-evaluate the certification to determine compliance with Idaho WQS and to provide additional certification pursuant to Section 401.

This condition is necessary to ensure that DEQ can evaluate any material modification to ensure it meets water quality requirements and complies with the Idaho antidegradation policy (IDAPA 58.01.02.051) and its implementation (IDAPA 58.01.02.052), general surface water quality criteria (200), numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210), numeric criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

## **3 Projects for Which Certification Is Denied**

DEQ cannot certify that the following activities will comply with water quality requirements, including State WQS and other appropriate requirements of state law, and is therefore denying certification for the activities listed below.

For activities for which certification has been denied, the applicant will be required to request an individual certification before the activity can be conducted. Individual certification requests will provide DEQ with the opportunity to review project details and determine if additional conditions are necessary to ensure that water quality requirements will be met.

Upon review and evaluation of individual certification requests, DEQ may 1) certify without condition, 2) provide individual certification with conditions necessary to ensure water quality requirements will be met, or 3) deny certification for projects that will not meet water quality requirements.

### **3.1 NWP denied**

DEQ denies certification for all activities proposed to occur on waters designated as ORWs during the term of the permit. This denial is necessary to ensure compliance with the water quality requirements of Idaho's antidegradation policy (IDAPA 58.01.02.051.03) and implementation procedures (IDAPA 58.01.02.052.09.g).

In addition, the following NWP are denied certification for all Idaho waters. Projects seeking coverage under these NWPs must request individual certification from DEQ.

*NWP 16 - Return Water from Upland Contained Disposal Areas*

Basis for denial:

Return water from upland disposal areas has the potential to contribute turbidity, sediment, and other toxic and non-toxic pollutants to receiving waters.

To ensure that discharge from upland contained disposal areas meets water quality requirements, DEQ must evaluate the quality of the return water and evaluate the potential pollutants associated with return water on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

*NWP 23 - Approved Categorical Exclusions*

Basis for denial:

DEQ is unable to determine that meeting the requirements for categorical exclusion under the National Environmental Policy Act will meet state water quality requirements.

DEQ will evaluate categorically excluded activities on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

*NWP 53 – Removal of Low-Head Dams*

Basis for denial:

Material released from the removal of low head dams has the potential to contribute turbidity, sediment, and other toxic and non-toxic pollutants to receiving waters.

In order to ensure that release of materials from the removal of low head dams meets water quality requirements, DEQ must evaluate the potential pollutants associated with this release on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

### **3.2 NWPs partially denied**

The following activities have the potential to disturb significant areas and could disturb a significant fraction of entire Assessment Units, causing permanent and significant impairment of designated and existing beneficial uses. The conditions associated with the NWP, regional conditions, and the conditions associated with this certification are not sufficient to provide DEQ with assurance that projects of this magnitude would not result in impairment of existing or

designated beneficial uses in all waters, and potentially increase degradation in high quality (Tier II) waters.

In order to meet the requirements of Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052), ensure that beneficial uses are not impaired, and ensure compliance with general surface water quality criteria for sediment (IDAPA 58.01.02.200.08), DEQ must evaluate these projects on a case-by-case basis and provide individual certification where applicable.

### 3.2.1 NWPs 3, 13, and 14

The 2020 NWPs 3, 13, and 14 require preconstruction notification (PCN) for certain activities when it is necessary for the district engineer to review activities to ensure only minimal adverse environmental effects.

While the additional district engineer review is intended to ensure that activities will cause only minimal adverse environmental effects, it is not reasonable to expect that the district engineer review will consider the requirements of Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052) when making their determination. Consequently, DEQ cannot certify that activities requiring PCN under these NWPs would not cause degradation of water quality, and therefore cannot certify that these activities would meet Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052).

Therefore, DEQ is denying certification for the following activities that require PCN under the proposed 2020 NWPs:

#### *NWP 3 – Maintenance*

##### Activities Denied Certification

- Activities authorized by paragraph (b) of NWP 3

#### *NWP 13 – Bank Stabilization*

##### Activities Denied Certification:

- activities involving discharge into special aquatic sites;
- activities in excess of 500 linear feet;
- activities that involve discharge of greater than one cubic yard per running foot measured along the length of the treated bank below the plane of the ordinary high water mark

#### *NWP 14 – Linear Transportation Projects*

##### Activities Denied Certification:

- activities resulting in the loss of waters of the United States in excess of 1/10 acre;
- discharge in a special aquatic site, including wetlands

### 3.2.2 NWPs 12, C, and D

The 2017 NWP 12 included activities proposed to be permitted under the 2020 NWPs C and D.

The 2017 NWP 12 required PCN for activities that, among other thresholds, involved mechanized clearing in forested wetlands, exceeded 500 linear feet, or that resulted in loss of greater than 1/10 acre of waters of the United States. The 2020 NWP proposes removal of these thresholds for PCN, and does not require additional review from the ACOE district engineer to ensure only minimal adverse environmental effects.

Without the requirement for PCN and additional review from the district engineer, DEQ cannot certify that these activities will not result in degradation. Therefore, DEQ is denying certification for the following activities:

*NWP 12 – Oil or Natural Gas Pipeline Activities*

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- oil or natural gas pipelines in waters of the United States that exceed 500 linear feet or that run adjacent to a water body for greater than 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

*NWP C – Electric Utility Line and Telecommunications Activities*

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- electric utility line and telecommunications activities in waters of the United States that exceed 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

*NWP D – Utility Line Activities for Water and Other Substances*

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- utility line activities in waters of the United States that exceed 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

### **3.2.3 NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, 52, and E**

The 2017 NWPs for the following activities had a 300 linear foot limit for losses of stream bed. The 2020 NWP proposes removal of the 300 linear foot limit for losses of stream bed and instead rely solely on the ½ acre limit.

The median bankfull width measured from 48 wadeable streams monitored in 2010 as part of DEQ's Beneficial Use reconnaissance Program (BURP) was 19.7 feet. A loss of ½ acre at this stream width would correspond to 1,105 linear feet of loss, or the equivalent of 0.2 miles of stream. DEQ cannot certify that losses of this magnitude of stream bed, or that losses of stream

bed based solely on the ½ acre limit, would not result in permanent degradation. Therefore, DEQ is denying certification for the following activities that exceed the 300 linear foot limit previously imposed by the 2017 NWP:

*NWP 21 – Surface Coal Mining Activities*

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 29 – Residential Developments*

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 39 – Commercial and Institutional Developments*

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 40 – Agricultural Activities*

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 42 – Recreational Facilities*

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 43 – Stormwater Management Facilities*

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 44 – Mining Activities*

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 50 – Underground Coal Mining Activities*

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 51 – Land Based Renewable Energy Generation Facilities*

**Activities Denied Certification:**

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP 52 – Water-Based Renewable Energy Generation Pilot Projects***Activities Denied Certification:**

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

*NWP E – Water Reclamation and Reuse Facilities***Activities Denied Certification:**

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

## 4 Right to Appeal Final Certification

The final Section 401 Water Quality Certification may be appealed by submitting a petition to initiate a contested case, pursuant to Idaho Code § 39-107(5) and the “Rules of Administrative Procedure before the Board of Environmental Quality” (IDAPA 58.01.23), within 35 days of the date of the final certification.

Questions or comments regarding the actions taken in this certification should be directed to Jason Pappani, State Office IDEQ, at (208) 373-0515 or via email at [jason.pappani@deq.idaho.gov](mailto:jason.pappani@deq.idaho.gov).



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Mary Anne Nelson, PhD

Surface and Wastewater Division  
Administrator



## MEMORANDUM

TO: James Joyner, Chief, Upper Snake and Idaho Panhandle Branch, U.S. Army Corps of Engineers

FROM: Mary Anne Nelson, Surface and Wastewater Division Administrator of the Department of Environmental Quality

DATE: 01/10/23

SUBJECT: 2020 Final § 401 Water Quality Certification Contact and Hyperlink Updates

The Department of Environmental Quality (DEQ) is submitting an update for agency contacts and hyperlinks to be included as an attachment to the § 401 Water Quality Certification dated December 4, 2020, upon authorization of a federal permit or license.

**Table 1. DEQ state and regional office contacts.**

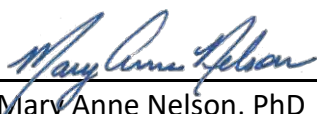
Regional Office	Address	Phone Number	Email
Boise	1445 N. Orchard St., Boise, ID 83706	(208) 373-0490	<a href="mailto:chase.cusack@deq.idaho.gov">chase.cusack@deq.idaho.gov</a>
Coeur d'Alene	2110 Ironwood Parkway, Coeur d'Alene, ID 83814	(208) 666-4605	<a href="mailto:chantilly.higbee@deq.idaho.gov">chantilly.higbee@deq.idaho.gov</a>
Idaho Falls	900 N. Skyline, Suite B., Idaho Falls, ID 83402	(208) 528-2679	<a href="mailto:alex.bell@deq.idaho.gov">alex.bell@deq.idaho.gov</a>
Lewiston	1118 "F" St., Lewiston, ID 83501	(208) 799-4874	<a href="mailto:sujata.connell@deq.idaho.gov">sujata.connell@deq.idaho.gov</a>
Pocatello	444 Hospital Way, #300 Pocatello, ID 83201	(208) 239-5007	<a href="mailto:matthew.schenk@deq.idaho.gov">matthew.schenk@deq.idaho.gov</a>
Twin Falls	650 Addison Ave. W., Suite 110, Twin Falls, ID 83301	(208) 737-3877	<a href="mailto:sean.woodhead@deq.idaho.gov">sean.woodhead@deq.idaho.gov</a>
State Office	1410 N. Hilton St., Boise, ID 83706	(208) 373-0570	<a href="mailto:tambra.phares@deq.idaho.gov">tambra.phares@deq.idaho.gov</a>



**Table 2. Updated hyperlinks.**

Section	Hyperlink
1.2	<a href="#">Integrated Report</a>
1.2	<a href="#">Final 2022 Integrated Report Interactive Mapper</a>
2.1	<a href="#">Catalog of Storm Water Best Management Practices</a>
2.2	<a href="#">Approved TMDLs</a>
2.8	<a href="#">Guidance for the Use of Wood Preservatives and Preserved Wood Products In or Around Aquatic Environments</a>
2.8	<a href="#">Best Management Practices for the Use of Treated Wood in Aquatic and Wetland Environments</a>

Please direct questions or comments about the actions taken in the 2020 Final § 401 Water Quality Certification to Tandra Phares, State Office DEQ, (208) 373-0187, or email at [tandra.phares@deq.idaho.gov](mailto:tandra.phares@deq.idaho.gov).

APPROVAL:  \_\_\_\_\_ 01/10/2023  
Mary Anne Nelson, PhD Date  
Department of Environmental Quality  
Surface and Wastewater Division Administrator

Attachment I:  
Floodplain Development  
Criteria Evaluation

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)1	The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and riparian zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.
			<i>Staff Comments</i>	<i>The project does not alter the main channel of the river, and it preserves the inherent natural characteristics of the floodplain by including native wetland plantings and maintaining a system of drainage channels and culverts to allow for historic flow of floodwaters through the site.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)2	No temporary construction activities, encroachment or other disturbance into the 25-foot riparian zone, including encroachment of below grade structures, shall be permitted, with the exception of approved stream stabilization work and restoration work associated with a riparian zone that is degraded.
			<i>Staff Comments</i>	<i>While the subject property does contain riparian zone, this area is over 100 feet from the project site. Staff will confirm at time of building permit submittal that the riparian zone is not impacted by construction activities</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)3	No permanent development shall occur within the 25-foot riparian zone, with the exception of approved stream stabilization work and restoration work associated with permit issued under this title, or exceptions as described below: a. Access to a property where no other primary access is available; b. Emergency access required by the fire department; c. A single defined pathways or staircases for the purpose of providing access to the river channel and in order to mitigate multiple undefined social paths; d. Development by the City of Ketchum.
			<i>Staff Comments</i>	<i>The project does not propose any improvements within the riparian zone</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)4	New or replacement planting and vegetation in the riparian zone shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings most commonly include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle. However, in rare instances the distance from the top-of-bank to the mean high water mark is significant and the native vegetation appropriate for the riparian zone are low growing, drought resistant grasses and shrubs. Replacement planting and

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
				<p>vegetation shall be appropriate for the specific site conditions. Proposal does not include vegetation within the 25-foot riparian zone that is degraded, not natural, or which does not promote bank stability.</p> <p><i>Staff Comments</i> No riparian restoration is proposed. Still, the project does contain wetlands and proposes species associated with riparian habitat.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)5	<p>Landscaping and driveway plans to accommodate the function of the floodplain allow for sheet flooding. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.</p> <p><i>Staff Comments</i> The driveway is located entirely outside of the floodplain. Converting existing pond to swale and other landscape/site improvements allow for sheet flooding to occur over portions of the property which contain floodplain</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)6	<p>Flood water carrying capacity is not diminished by the proposal.</p> <p><i>Staff Comments</i> The proposed development has more excavation (638.1 cubic yards) than fill (265.4 cubic yards) resulting in a net cut-fill balance of 372.7 cubic yards. The proposed swale allows for sheet flow to occur in a northwest to southeast movement as historically has been the case as a result of evening out the grade where currently the existing pond has more steep topography. All cut and fill considered for floodwater carrying capacity is below the Base Flood Elevation (BFE). The HEC-RAS model for the site shows no increase in floodwaters on adjacent properties to the north &amp; south.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)7	<p>Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.</p> <p><i>Staff Comments</i> The wetland plantings will be beneficial to water quality and aquatic life. No work is proposed within the floodway or stream. No downstream impacts or across stream impacts will be associated with the approved landscape plan.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)8	<p>Building setback in excess of the minimum required along waterways is encouraged. An additional ten-foot building setback beyond the required 25-foot riparian zone is encouraged to provide for yards, decks and patios outside the 25-foot riparian zone.</p> <p><i>Staff Comments</i> The proposed residence is setback from the riparian zone over 200'.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)9	<p>The top of the lowest floor of a building located in, or partially within, the SFHA shall be at or above the flood protection elevation (FPE). A</p>

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
				<p>building is considered to be partially within the SFHA if any portion of the building or appendage of the building, such as footings, attached decks, posts for upper story decks, are located within the SFHA. See <u>section 17.88.060</u>, figures 1 and 2 of this chapter to reference construction details. See <u>chapter 17.08</u> of this title for definition of "lowest floor."</p> <p>a. In the SFHA where base flood elevations (BFEs) have been determined, the FPE shall be 24 inches above the BFE for the subject property; 24 inches or two feet is the required freeboard in Ketchum City Limits.</p> <p>b. In the SFHA where no BFE has been established, the FPE shall be at least two feet above the highest adjacent grade.</p>
			<i>Staff Comments</i>	<i>The top of the lowest floor (finished floor) is elevated 24" above the Base Flood Elevation of 5766.95 as shown on Sheets A-400 &amp; A-401. As the proposed elevation is located within the AE zone the top of the lowest floor is required to be 24" above the BFE.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)10	<p>The backfill used around the foundation in the SFHA floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.</p> <p>a. Compensatory storage shall be required for any fill placed within the floodplain.</p> <p>b. A CLOMR-F shall be obtained prior to placement of any additional fill in the floodplain.</p>
			<i>Staff Comments</i>	<i>Backfill used around the foundation which provides a reasonable transition to existing grade is not considered as part of the compensatory storage requirement. The proposed cut on the site is 638.1 cubic yards while the proposed fill not associated with the residence is 265.4 cubic yards, resulting in a net cut-fill balance of 372.7 cubic yards. The proposed cut occurs around modified drainage channels and wetlands which are hydraulically connected to the Big Wood River.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)11	All new buildings located partially or wholly within the SFHA shall be constructed on foundations that are designed by a licensed professional engineer.
			<i>Staff Comments</i>	<i>The proposed residence will be constructed with concrete slab on grade foundations designed by David Funk who is a licensed professional engineer within Idaho.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)12	Driveways shall comply with City of Ketchum street standards; access for emergency vehicles has been adequately provided for by limiting flood depths in all roadways to one foot or less during the one percent annual chance event.

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
			<i>Staff Comments</i>	<i>Driveway is entirely outside of floodplain. Driveway complies with City of Ketchum street standards. The Fire &amp; Streets Departments have both approved the proposed driveway design.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)1 3	Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.
			<i>Staff Comments</i>	<i>Landscaping is proposed on all areas of the property including around the proposed swale which will experience grading. The landscaping will conceal any cuts and fill which are required.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 4	(Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 5	(Stream alteration.) No increase to the one percent annual chance flood elevation at any location in the community, based on hydrologic and hydraulic analysis performed in accordance with standard engineering practice and has been certified and submitted with supporting calculations and a No Rise Certificate, by a registered Idaho engineer.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 6	(Stream alteration.) The project has demonstrated no adverse impact or has demonstrated all impacts will be mitigated.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 7	(Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 8	(Stream alteration) Fish habitat is maintained or improved as a result of the work proposed.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1 9	(Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
			<i>Staff Comments</i>	<i>N/A - Stream Alteration is not proposed.</i>

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)20	(Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.  <i>Staff Comments</i> N/A - Stream Alteration is not proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)21	(Wetlands) Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement.  <i>Staff Comments</i> Project site contains wetlands as delineated by Trent Stumph with Sawtooth Environmental. The proposed development will impact, permanently fill approximately 2,300 square feet of wetlands with proposed wetland mitigation of 29,000 square feet and wetland restoration of 11,000 square feet. Wetlands include species such as Black Cottonwood, Red-osier Dogwood, Quaking Aspen, and many other riparian grasses, shrubs and trees.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060.A.1	A. General Standards: In all areas of special flood hazard, the following standards are required: 1. Anchoring: a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference the Federal Emergency Management Agency's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).  <i>Staff Comments</i> The proposed development is a single-family home that will be constructed on site and attached to a foundation designed by a professional engineer. Note 209 on Sheet S-111 indicates foundation has been designed to meet standards of this section. The new construction will be anchored to prevent flotation, collapse, or lateral movements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060.A.2	<b>2. Construction Materials And Methods:</b> <b>a. All structural and nonstructural building materials utilized at or below the base flood elevation must be flood</b>

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
				<p><b>resistant. Flood damage resistant materials must be used for all building elements subject to exposure to floodwaters, including floor joists, insulation, and ductwork. If flood damage resistant materials are not used for building elements, those elements must be elevated above the base flood elevation. This requirement applies regardless of the expected or historical flood duration.</b></p> <p><b>b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.</b></p> <p><b>c. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.</b></p>
			<b>Staff Comments</b>	<p>A. <i>Proposed materials below the BFE as listed on Sheets G-002 &amp; S-101 include reinforced concrete, ferrous metal, and steel panels with waterproof adhesives. All materials are acceptable per FEMA Technical Bulletin 2.</i></p> <p>B. <i>This project consists of new construction. All floodplain development regulations required by Ketchum Municipal Code will be met.</i></p> <p>C. <i>The mechanical room and all mechanical equipment are to be located above the BFE and outside of the SFHA. No HVAC or electrical panels will be located below the BFE. Any plumbing and electrical leading from mains to the residence will be watertight and located underground.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.88.060.A.3</b>	<p><b>3. Utilities:</b></p> <p><b>a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;</b></p> <p><b>b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and</b></p> <p><b>c. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.</b></p>
			<b>Staff Comments</b>	<i>Water and sewer services into the residence will be located underground and built to required plumbing codes</i>



Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B.1</b>	<p><b>1. All construction in AO zones shall be designed and constructed with drainage paths around structures to guide water away from structures</b></p> <p><i>Proposed residence is within the AE zone, not the AO.</i></p>
			<b>Staff Comments</b>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.88.060.B.2. a</b>	<p><b>2. Residential Construction:</b></p> <p><b>a. New construction and substantial improvement of any residential structure in any A1-30, AE and AH zone shall have the top of the lowest floor, including basement, elevated a minimum of twenty four inches (24") above the base flood elevation.</b></p> <p><i>The top of the lowest floor (finished floor) will be elevated 24" above the Base Flood Elevation of 5766.95'. As the proposed elevation is located within the AE zone the top of the lowest floor is required to be 24" above the BFE. Sheets A-400 &amp; A-401 show lowest floor elevated above BFE by at least 24".</i></p>
			<b>Staff Comments</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B.2. b</b>	<p><b>b. New construction and substantial improvement of any residential structure in any AO zone shall have the lowest floor, including basement, elevated to or above the highest adjacent grade at least as high as the FIRM's depth number plus twenty four inches (24").</b></p> <p><i>N/A. Proposed residence is within the AE zone, not the AO</i></p>
			<b>Staff Comments</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B.2. c.</b>	<p><b>c. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria (see figures 1, "Preferred Crawl Space Construction", and 2, "Below Grade Crawl Space Construction", of this section):</b></p> <p><i>N/A. No enclosed areas below the lowest floor are proposed.</i></p>
			<b>Staff Comments</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B.2. c.(1)</b>	<p><b>(1) A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. Openings shall be placed on at least two (2) walls to permit entry and exit of floodwaters.</b></p> <p><i>N/A. No enclosed areas below the lowest floor are proposed.</i></p>
			<b>Staff Comments</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B.2. c.(2)</b>	<p><b>(2) The bottom of each flood vent opening shall be no higher than one foot (1') above the lowest adjacent exterior grade.</b></p> <p><i>N/A. No enclosed areas below the lowest floor are proposed.</i></p>
			<b>Staff Comments</b>	

Floodplain Development Permit Requirements				
1. Evaluation Standards: 17.88.050€				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B2.c.(3)</b>	(3) Engineered flood vents are required.  <i>Staff Comments</i> N/A. No enclosed areas below the lowest floor are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B2.c.(4)</b>	(4) Portions of the building below the base flood elevation shall be constructed with material resistant to flood damage.  <i>Staff Comments</i> N/A. No enclosed areas below the lowest floor are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B2.c.(5)</b>	(5) The interior grade of a below grade crawl space (see figure 2, "Below Grade Crawl Space Construction", of this section) below the base flood elevation shall not be more than two feet (2') below the lowest adjacent exterior grade.  <i>Staff Comments</i> N/A. No crawlspace proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B2.c.(5)</b>	(6) The height of a below grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall, shall not exceed four feet (4') at any point.  <i>Staff Comments</i> N/A. No crawlspace proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.88.060.B2.c.(5)</b>	(7) A below grade crawl space shall have an adequate drainage system that removes floodwaters from the interior area of the crawl space within a reasonable time after a flood event.  <i>Staff Comments</i> N/A. No crawlspace proposed.
			<b>17.88.060.B2.c.(6)</b>	(8) The velocity of floodwaters at the site should not exceed five feet per second for any crawlspace  <i>Staff Comments</i> N/A. No crawlspace proposed.

Attachment J:  
Zoning and Dimensional  
Standards Evaluation

Compliance with Zoning and Dimensional Standards				
Compliant			Standards and Findings	
Yes	No	N / A	Ketchum Municipal Code	City Standards and Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	<b>Minimum Lot Area</b>
			Finding	<b>Required:</b> 8,000 square feet minimum <b>Existing:</b> 54,219 square feet
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	<b>Building Coverage</b>
			Finding	<b>Permitted:</b> 35% <b>Proposed:</b> 10% (5,422 square feet / 54,219 square feet lot area)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	<b>Minimum Building Setbacks</b>
			Finding	<b>Minimum Required Setbacks:</b> Front: 15' Side: > of 1' for every 3' in building height, or 5' (11' required) Rear: > of 1' for every 3' in building height, or 15'  <b>Proposed:</b> Front (Wood River Dr): 15' Side (north): 11' Side (south): 11' Rear (west): >100'
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	<b>Building Height</b>
			Finding	<b>Maximum Permitted:</b> 35' <b>Proposed:</b> 33' 2"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H	<b>Curb Cut</b>
			Finding	<b>Permitted:</b> A total of 35% of the linear footage of any street frontage can be devoted to access off street parking. <b>Proposed:</b> 19.1% (20-foot-wide driveway/104.74 feet of frontage along Wood River Drive)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.020.A.2 & 17.125.050	<b>Parking Spaces</b>
			Finding	Off-street parking standards of this chapter apply to any new development and to any new established uses. <b>Required:</b> Residential one family dwelling: 2 parking spaces per dwelling unit <b>Proposed:</b> 3
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.170.A	<b>Drainage</b>
			Finding	<b>Required:</b> 1. All stormwater shall be retained on site.

				<ol style="list-style-type: none"> <li>2. Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street</li> <li>3. The City Engineer may require additional drainage improvements as necessary, depending on the site unique characteristics of a site.</li> <li>4. Drainage facilities shall be constructed per City standards.</li> </ol> <p>Proposed:</p> <ol style="list-style-type: none"> <li>1. Through trench drains, catch basins and a drywell, the proposed project is able to maintain stormwater generated by the proposed impervious surfaces</li> <li>2. The project proposes constructing right-of-way improvements the full length of the property along Wood River Dr</li> <li>3. The City Engineer has not found the site to need any additional drainage improvements</li> <li>4. The City Engineer has reviewed and found all proposed drainage facilities to be constructed per City standards. These facilities will be confirmed upon submittal of a building permit</li> </ol>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.170.B</b>	<b>Utilities</b>
				<p>Required:</p> <ol style="list-style-type: none"> <li>1. All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</li> <li>2. Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.</li> </ol> <p>Proposed:</p> <ol style="list-style-type: none"> <li>1. All utility extensions will be installed at the expense of the applicant</li> <li>2. All utilities are to be located underground and no lines will be visible from public view</li> </ol>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.124.170.C</b>	<b>Snow Storage</b>
				<p>Required:</p> <ol style="list-style-type: none"> <li>1. Snow storage areas shall not be less than 30 percent of the improved parking and pedestrian circulation areas.</li> <li>2. Snow storage areas shall be provided on site.</li> <li>3. A designated snow storage area shall not have any dimension less than five feet and shall be a minimum of 25 square feet.</li> <li>4. In lieu of providing snow storage areas, snowmelt and hauling of snow may be allowed.</li> </ol>

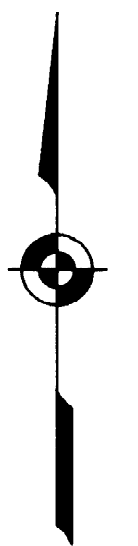
				<p>Proposed:</p> <ol style="list-style-type: none"><li>1. As shown on Sheet L-1.00, 4,067 square feet of driveway and pedestrian circulation area is proposed. Of this total, 2,840 square feet is proposed to be snowmelted, leaving 1,226 square feet of non snowmelted area. The required amount of snow storage is 368 square feet and the applicant has proposed 400 square feet.</li><li>2. Proposed snow storage is located on subject property.</li><li>3. All snow storage areas do not dimensions less than 5 feet and have an area greater than 25 square feet</li><li>4. As stated in standard #1, snowmelt is proposed for 2,840 square feet of the proposed driveway &amp; pedestrian circulation area, resulting in 1,226 square feet of non snowmelted area.</li></ol>
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Attachment K:  
Mary's Place  
Subdivision Plat Map

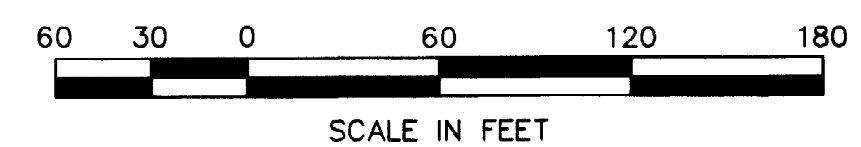
# A LOT LINE SHIFT PLAT SHOWING MARY'S PLACE SUBDIVISION

LOCATED WITHIN  
GOVERNMENT LOT 4, SECTION 13, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

OCTOBER 2000



SCALE: 1" = 60'

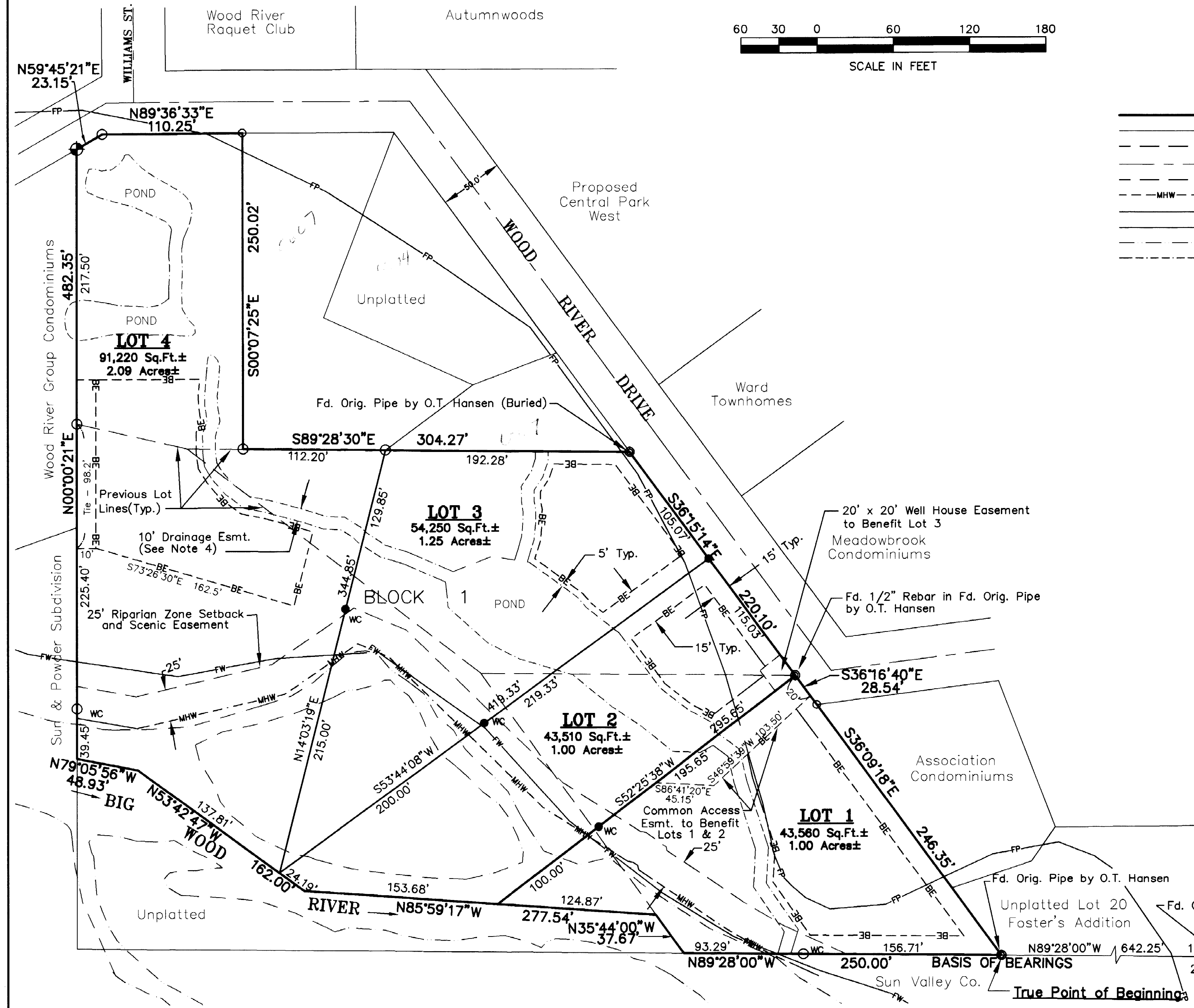


**LEGEND**

- Set 1/2" Rebar . L.S. 3621
- Found 1/2" Rebar
- Found 5/8" Rebar
- Found 1.5" Iron Pipe
- WC Witness Corner
- Property Line Boundary
- Adjoiner's Property Line
- - - Previous Lot Line
- - - Centerline Road Right-of-Way
- - - 25' Riparian Zone Setback and Scenic Easement
- - - MHW Mean High Water
- - - FP Floodplain (per FEMA panel 0461C, March 17, 1997)
- - - FW Floodway (per FEMA panel 0461C, March 17, 1997)
- - - Water Course/Edge of Water
- - - 10' Drainage Easement (See Note 4)

**NOTES**

1. Subdivision Boundaries are based upon Record of Survey by Roger Kruger (1988), Instrument No. 301270, records of Blaine County, Idaho.
2. A 10-foot wide Fisherman's Access Easement is dedicated to the public along the northeasterly bank of the Big Wood River. Said easement shall shift with the river bank as it moves.
3. A 25-foot wide Scenic Easement and Riparian Setback exists along the banks of the Big Wood River within which no structure is permitted and riparian vegetation shall be maintained in its natural state for the protection and stabilization of the creek bank. Removal of trees or other vegetation is subject to approval by City of Ketchum.
4. A 10' wide Drainage Easement is reserved centered over existing drainage channels and 5 feet from edge of ponds to provide for maintenance and to preserve natural drainage through the property.
5. FLOODPLAIN NOTE: Portions of this property are subject to flood hazard. The floodplain area designated on this plat is considered by the Owner, the City of Ketchum and Galena Engineering, Inc. as reasonable for regulatory purposes. However, neither the Owner, the City of Ketchum nor Galena Engineering, Inc. represents, guarantees, warrants or implies that areas outside the designated floodplain area are safe and free from floods or flood danger. Sheet flooding can and will occur and flooding may extend beyond the floodplain boundary lines identified hereon.
6. Encroachments, including fill, new construction, substantial improvements and other development is prohibited within the regulatory floodway unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
7. Building Envelopes may be revised if the surface water courses and ponds are relocated, pursuant to an approved enhancement plan. Said enhancement plan shall be approved and proper permits obtained from the appropriate agencies, including, but not limited to, the City of Ketchum, the Army Corps of Engineers, Idaho Fish and Game Department, and Idaho Department of Water Resources.



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date 10-31-2000 *Robert W. Erickson*  
South Central District Health Dept., EHS

*Richard D. Fosbury*  
10/31/00

RICHARD D. FOSBURY, L.S. 3621

MARY'S PLACE SUBDIVISION  
GALENA ENGINEERING, INC.  
KETCHUM, IDAHO  
SHEET 1 OF 2  
Job No. 1727-01plat

DRAWING NUMBER  
*Mary's Place 10/00*

DRAWING NUMBER

L.P. 10/31/00



#445345  
 MARY'S PLACE SUBDIVISION  
 S13 T4N R17E

2 of 2

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA  
 RECORDED BY NUMBER 0754R

DRAWING NUMBER  
 Instrument # 445345  
 HAILEY, BLAINE, IDAHO  
 2000-11-22 No. of Pages: 2  
 Recorded for: SAWTOOTH TITLE  
 MARSHA RIEMANN  
 Ex-Officio Recorder Deputy Fee: 11.00  
 Index to: PLATS

IRVINE, CALIFORNIA  
 92704  
 91 0754R

**CERTIFICATE OF OWNERSHIP**

This is to certify that the undersigned is the owner in fee simple of the following described parcel of land:  
 A parcel of land located within Section 13, Township 4 North, Range 17 East, Boise Meridian, City of Ketchum, Blaine County, Idaho; more particularly described as follows:

Commencing at a Brass Cap marking the Section corner common to Sections 13, 18, 19 and 24, thence continuing N89°28'00"W, 642.25 feet to an Iron Pipe by O.T. Hansen and the TRUE POINT OF BEGINNING;

- thence N89°28'00"W, 250.00 feet;
- thence N35°44'00"W, 37.67 feet;
- thence N85°59'17"W, 277.54 feet;
- thence N53°42'47"W, 162.00 feet;
- thence N79°05'56"W, 48.93 feet;
- thence N00°00'21"E, 482.35 feet;
- thence N59°45'21"E, 23.15 feet;
- thence N89°36'33"E, 110.25 feet;
- thence S00°07'25"E, 250.02 feet;
- thence S89°28'30"E, 304.27 feet;
- thence S36°15'14"E, 220.10 feet;
- thence S36°16'40"E, 28.24 feet;
- thence S36°16'18"E, 246.35 feet to the TRUE POINT OF BEGINNING, containing 5.34 acres, more or less.

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. I do hereby certify that the individual lots described in this plat will be served by individual wells and not by any water system common to one (1) or more of the lots.

It is the intent of the owner to hereby include said land in this plat.

*Mary Pichon*  
 \_\_\_\_\_  
 Mary Pichon Trustee  
 Pichon Family Trust

**ACKNOWLEDGMENT**

STATE OF Idaho }  
 COUNTY OF Blaine } ss  
 On this 21<sup>st</sup> day of October, 2000, before me, a Notary Public in and for said State, personally appeared Mary Pichon, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



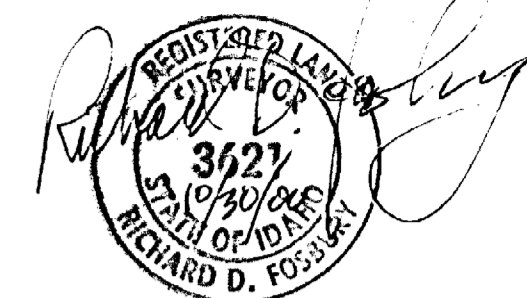
*Marla G Mink*  
 \_\_\_\_\_  
 Notary Public in and for said State  
 Residing in Belleme, Id.  
 My Commission Expires 12/01/2000

STATE OF Idaho }  
 COUNTY OF Blaine } ss  
 On this 21<sup>st</sup> day of November, 2000, before me, a Notary Public in and for said State, personally appeared Mary Pichon, known or identified to me to be the person whose name is subscribed to the within instrument as trustee of the Pichon Family Trust, and acknowledged to me that she executed the same as such trustee.

*Marla G Mink*  
 \_\_\_\_\_  
 Notary Public in and for said State  
 Residing in Belleme  
 My Commission Expires 12/01/2000

**SURVEYOR'S CERTIFICATE**

I, Richard D. Fosbury, a duly licensed Land Surveyor in the State of Idaho, do hereby certify that the foregoing plat is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



**BLAINE COUNTY SURVEYOR'S APPROVAL**

I, Jim W. Koonce, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

*Jim W. Koonce 10/30/00*  
 \_\_\_\_\_  
 Blaine County Surveyor

**KETCHUM CITY ENGINEER'S APPROVAL**

The foregoing plat was approved by DAVID COLE, City Engineer for the City of Ketchum on this 31<sup>st</sup> day of October, 2000.

*David Cole P.E.*  
 \_\_\_\_\_  
 City Engineer

**KETCHUM CITY COUNCIL'S APPROVAL**

The foregoing plat was approved by the City Council of Ketchum on this 31<sup>st</sup> day of October, 2000.

*Jane E. Cady*  
 \_\_\_\_\_  
 City Clerk



**BLAINE COUNTY TREASURER'S APPROVAL**

The taxes on the foregoing parcel of land have been paid to this date and this plat is hereby approved this 22<sup>nd</sup> day of November, 2000.

*Buckey Jones for Vicki & Dick*  
 \_\_\_\_\_  
 Blaine County Treasurer

**BLAINE COUNTY RECORDER'S CERTIFICATE**

STATE OF IDAHO }  
 COUNTY OF BLAINE } ss  
 This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho on this \_\_\_\_\_ day of \_\_\_\_\_, 2000, at \_\_\_\_\_ M., and duly recorded under Instrument Number \_\_\_\_\_.

Instrument # 445345  
 HAILEY, BLAINE, IDAHO  
 2000-11-22 04:01:00 No. of Pages: 2  
 Recorded for: SAWTOOTH TITLE  
 MARSHA RIEMANN Fee: 11.00  
 Ex-Officio Recorder Deputy  
 Index to: PLATS

*Marla Ryne*  
 \_\_\_\_\_  
 Ex-officio Recorder

Mary's Place Subdivision  
 Galena Engineering, Inc.  
 Ketchum, Idaho  
 Sheet 2 of 2  
 Job No. 1727-01fplat