



Janna Berard <janna.berard@bonnercountyid.gov>

[EXT SENDER] RE: Agency Project Review Request - File CUP0013-23 - Conditional Use Permit - Community Facility/Retreat

1 message

Kristie May <Kristie.May@deq.idaho.gov>

Fri, Sep 22, 2023 at 8:00 AM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Good Morning,

Thank you for providing the opportunity to comment. Please find attached DEQ's comments for the project listed above.

Thank you,

Kristie

Kristie May | Admin Assistant II

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Direct: 208.666.4608

Office Line: 208.769.1422

www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Monday, August 28, 2023 8:03 AM**To:** PHD <EHapplications@phd1.idaho.gov>; Gavin Gilcrease <ggilcrease@selkirkfire.com>; Northern Lights - Kristin Mettke <kristin.mettke@nli.coop>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; Facilities Director LPOSD #84 <matt.diel@lposd.org>; Superintendent No. 84 Becky Meyer <becky.meyer@lposd.org>; IDL - Pend Oreille Lake Supervisory <esjoquist@idl.idaho.gov>; Bonner Sheriff <bonnersheriff@bonnerso.org>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Northern Info <northerninfo@idwr.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; US Fish & Wildlife Services - Christy Johnson Hughes <FW1idahoconsultationrequests@fws.gov>; BC EMS Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>**Cc:** Travis Haller <travis.haller@bonnercountyid.gov>; Jacob Gabell <jake.gabell@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Teira Bruner <firebrandcoco@gmail.com>**Subject:** Agency Project Review Request - File CUP0013-23 - Conditional Use Permit - Community Facility/Retreat

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

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jenna Crone, Hearing Coordinator

Bonner County Planning Department

208-265-1458 ext - 1277

 **CRO Environmental Comment Response CUP0013-23.pdf**
200K



DEQ Response to Request for Environmental Comment

Date: September 22, 2023
Agency Requesting Comments: Bonner County
Date Request Received: August 28, 2023
Applicant/Description: CUP0013-23

Thank you for the opportunity to respond to your request for comment. While the Idaho Department of Environmental Quality (DEQ) does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083>

Comments Specific to this request:

The subject application for the CUP0013-23 has the potential to serve 25 or more people 60 days or more per year, which appears to the definition of a public drinking water system under the Idaho Rules for Public Drinking Water Systems (IDAPA 58.01.08). As described in the application, the venue would serve events from May to September, which is approximately 30 weeks and 2-3 days per week. The applicant/owners are required to meet the Idaho Rules for Public Drinking Water Systems (IDAPA 58.01.08), and not just consult with Idaho Department of Water Resources and Panhandle Health District for drinking water to this site.

- **The well location and construction must first be assessed and approved by DEQ. If it cannot be approved to meet Idaho Rules, another drinking water site and source must be approved. This includes the submittal of a well site evaluation report by an Idaho licensed professional engineer or professional geologist.**
- **A facility plan and preliminary engineering report (PER) developed by an Idaho licensed professional engineer, which includes relevant requirements listed in IDAPA 58.01.18 Section 500, may be required to be submitted to and approved by DEQ.**
- **Plans and specifications for the drinking water infrastructure to serve this project would be required be submitted to DEQ by an Idaho licensed professional engineer and approved by DEQ, and the well pump test must be performed and approved in accordance with DEQ requirements.**
- **Initial water quality monitoring must be performed.**
- **Additionally, requirements may include demonstration of Technical, Financial and Managerial capacity, and the future need for a licensed water system operator.**

DEQ has not completed a thorough review of the documents provided, therefore, the following general comments should be applied as appropriate to the specific project:

1. Air Quality

- **Fugitive Dust** - All reasonable precautions shall be taken to prevent particulate matter (dust) from becoming airborne, as required in IDAPA 58.01.01.651.
- **Land Clearing** - If open burning of land clearing debris is incorporated into the land clearing phase, smoke management practices to protect air quality as described in IDAPA 20.02.01.071.03 and IDAPA 58.01.01.614 must be implemented by the applicant. Local fire protection permits may also be required.
- **Open Burning** - Open burning of demolition or construction debris is not an allowable form of open burning as defined by IDAPA 58.01.01.600. Demolition and construction debris must be treated in accordance with solid waste regulations.
- For questions, contact Shawn Sweetapple, Air Quality Manager, at (208) 769-1422.
- **Air Quality Permits** - IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For permitting questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. Wastewater

- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- If connecting to an existing wastewater utility, DEQ recommends verifying that there is adequate capacity to serve this project prior to approval. Please contact the sewer provider for a will-serve letter stating the provider's capacity to serve the project, willingness to serve this project, and a declining balance of available connections.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

For questions, contact Katy Baker-Casile, DEQ Water Quality Engineering Manager, at (208)769-1422.

3. Drinking Water

- DEQ recommends using an existing drinking water system whenever possible or construction of a new drinking water system. Please contact DEQ to discuss this project and to explore options to best serve the future residents of this development and provide for protection of ground water resources.
- If connecting to an existing public or non-public drinking water system, DEQ recommends verifying that there is adequate capacity to serve this project prior to approval. Please contact the water provider for a will-serve letter stating the provider's capacity to serve the project, willingness to serve this project, and a declining balance of available connections.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval. All projects for construction or modification of public drinking water systems require preconstruction approval.
- If any private wells will be included in the proposed project, DEQ recommends at a minimum testing the private well for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.

For questions, contact Katy Baker-Casile, DEQ Water Quality Engineering Manager, at (208) 769-1422.

4. Surface Water

- **Water Quality Standards.** Site activities adjacent to waters of the United States (US) must comply with Idaho's Water Quality Standards (WQS) (IDAPA 58.01.02). The WQS provide limits to pollutants to assure water quality for the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water. The federal Clean Water Act (CWA) requires states to list current conditions of all state waters (required by §305(b)), including publicly-owned lakes (required by §314), and to list waters that are impaired by one or more pollutants (required by §303(d)).
 - WQS: <http://www.deq.idaho.gov/water-quality/surface-water/standards/>
 - Current conditions of state waters (with interactive map): <http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/>
- **Point Source Discharges.** Site activities that discharge pollutants into waters of the US in Idaho may require Idaho Pollution Discharge Elimination System (IPDES) coverage (IDAPA 58.01.25) or the Environmental Protection Agency (EPA) National Pollution Discharge Elimination Program (NPDES) coverage.
 - <http://www.deq.idaho.gov/permitting/water-quality-permitting/ipdes/>

- **Construction activities.** Construction activities should implement Best Management Practices (BMPs) to control, prevent, or minimize pollution. Construction activities disturbing areas greater than one acre of land that may discharge stormwater directly or indirectly into waters of the US require development and implementation of a Stormwater Pollution Prevention Plan (SWPP) under a Construction General Permit with EPA NPDES.
 - <http://www.deq.idaho.gov/water-quality/wastewater/stormwater/>
- **Stream channel/lakeshore alteration and dredge and fill activities.** Site activities that disturb ground below the ordinary high water mark (OHWM) within streams/lakeshores must have a permit under IDAPA 37.03.07 (administered by Dept. of Lands) and IDAPA 58.13 (administered by Dept. of Water Resources). Activities that discharge fill material below the OHWM must have a permit under Section 404 of the CWA (administered by US Army Corps of Engineers). All activities must also comply with Idaho Water Quality Standards.
 - Idaho Department of Water Resources permits: <https://idwr.idaho.gov/streams/>
 - Idaho Department of Lands permits: <https://www.idl.idaho.gov/lakes-rivers/lake-protection/index.html>
 - US Army Corp of Engineers permits: <https://www.nww.usace.army.mil/Business-With-U/Regulatory-Division/>

For questions, contact Robert Steed, Surface Water Manager at (208) 769-1422.

5. Solid/Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Solid Waste.** The disposal of all solid waste must comply with Idaho's Solid Waste Management Rules (IDAPA58.01.06). No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that all activities comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."
- **Underground Storage Tanks.** DEQ requests that the installation of all underground storage tanks and piping along with any required testing and owner/operator training comply with Idaho's Rules Regulating Underground Storage Tank Systems (IDAPA 58.01.07)

6. Additional Notes

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. The Panhandle Health District regulates all ASTs over the Rathdrum Prairie aquifer. EPA regulates ASTs at all other areas. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 769-1422, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

For questions, contact Gary Stevens, Waste & Remediation Manager, at (208) 769-1422.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208)769-1422.

Dan McCracken, Regional Administrator, Coeur d'Alene



Janna Berard <janna.berard@bonnercountyid.gov>

[EXT SENDER] RE: Agency Project Review Request - File CUP0013-23 - Conditional Use Permit - Community Facility/Retreat

1 message

Kristie May <Kristie.May@deq.idaho.gov>

Fri, Sep 22, 2023 at 8:01 AM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Additional Comments for the above project:

Wastewater

The application states wastewater will be disposed of through a drainfield. DEQ may be involved in the review of the wastewater system at the request of Panhandle Health District (PHD). If the cumulative design flow from all wastewater generating facilities on the property exceeds 2,500 gallons per day (gpd), the wastewater system will be considered a public wastewater system and must meet the applicable rules defined in IDAPA 58.01.16 and IDAPA 58.01.03. If DEQ is requested to review the project, and the project exceeds 2,500 gpd, DEQ will require the applicant to submit a preliminary engineering report (PER) prepared by an Idaho-licensed professional engineer, a demonstration of technical, financial, and managerial capacity, engineered plans and specifications, and results from a nutrient-pathogen evaluation, prior to DEQ recommending approval to PHD.

Thank you-

Kristie

Kristie May | Admin Assistant II

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Direct: 208.666.4608

Office Line: 208.769.1422

www.deq.idaho.gov**Our mission:** To protect human health and the quality of Idaho's air, land, and water.

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Monday, August 28, 2023 8:03 AM**To:** PHD <EHapplications@phd1.idaho.gov>; Gavin Gilcrease <ggilcrease@selkirkfire.com>; Northern Lights - Kristin Mettke <kristin.mettke@nli.coop>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; Facilities Director LPOSD #84 <matt.diel@lposd.org>; Superintendent No. 84 Becky Meyer <becky.meyer@lposd.org>; IDL - Pend Oreille Lake Supervisory <esjoquist@idl.idaho.gov>; Bonner Sheriff <bonnersheriff@bonnerso.org>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Northern Info

<northerninfo@idwr.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; US Fish & Wildlife Services - Christy Johnson Hughes <FW1idahoconsultationrequests@fws.gov>; BC EMS Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>

Cc: Travis Haller <travis.haller@bonnercountyid.gov>; Jacob Gabell <jake.gabell@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Teira Bruner <firebrandcoco@gmail.com>

Subject: Agency Project Review Request - File CUP0013-23 - Conditional Use Permit - Community Facility/Retreat

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

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jenna Crone, Hearing Coordinator

Bonner County Planning Department

208-265-1458 ext - 1277