May 30, 2025

Teton County Planning & Zoning Commission 150 Courthouse Drive Driggs, Idaho 83422 commissioners@tetoncountyidaho.gov pz@tetoncountyidaho.gov

#### Re: Opposition to Godfrey Residence (Good Timber Ranch) Variance Request.

#### Dear Planning & Zoning Commissioners:

I represent a group of seven landowners living directly downstream from Good Timber Ranch whose land has been physically damaged by the ongoing sediment discharges caused by Good Timber's illegal excavation work last summer - **and now with this variance Good Timber seeks to do more.** The group includes owners of Snowdrift Farm, Canewater Farm, and three other abutting downstream property owners. I'll refer to them as "the Good Neighbors." Collectively, they own approximately 85 acres of land; some of them depend on their land for their livelihood. To consider this variance request, some background context is needed here.

On June 21, 2022 the Army Corps issued a permit for Good Timber to construct a 3.94 artificial lake "Lake Washakie" over a site that contained 20 mapped wetlands and 10 named springs. In order to construct Lake Washskie, the permit required Good Timber to still comply with all state and local permitting requirements. On information and belief, for a period of over 2 weeks last summer, Good Timber illegally **scraped away** 13.9 acres of land, including 1.8 acres of wetland, and 2,310 feet of stream channels with **no erosion control measures** in place.



Click image or <u>CLICK HERE</u> to view a video of Good Timber's dredging, July 23, 2024.

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Good Timber took all of these destructive actions <u>without</u> a Stream Channel Alteration Permit (I.C. § 42-3803), <u>without</u> a Teton County Grading and Excavation Permit (Teton County Land Development Code 5-2-1), and <u>without</u> the appropriate water rights to fill their Lake Washakie. (I.C. § 42-222(1)). The public record shows that county and state agents repeatedly reported in emails that Good Timber's representative Nathan Godfrey had told them he had these permits, when in fact he did not. Teton County issued a **Stop Work Order** identifying multiple violations of the zoning and building code **which is still in effect.**<sup>1</sup>

This digging and scraping of wetland and creeks sent a huge bolus of sediment down Little Warm Creek, damaging the Good Neighbors property. Little Warm Creek and the entire Warm Creek watershed **is a 303(d) listed stream** that is impaired for cold water aquatic life, Salmonid spawning, and secondary contact recreation. Good Timber eventually installed some erosion control measures which were inadequate, have been neglected all winter, and are failing. Thus, Good Timber **continues to discharge** sediment downstream.



A foot of sediment now sits in the downstream reaches of Little Warm Creek. May 26, 2025

<sup>&</sup>lt;sup>1</sup> SEE ATTACHMENT A: *Teton County Stop Work Order*. Issued against Good Timber Ranch for (1) Grading without a Grading & Erosion Control Permit, (2) Building a rock retaining wall without a permit, and (3) constructing with an expired building permit.

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A preliminary cost estimate to repair the damage to the stretch of Little Warm Creek running through the Good Neighbor's property is **\$814,000**.<sup>2</sup> *However*, unless Good Timber also rehabilitates the damage on their own property, sediment will still continue to discharge from their land downstream. With this variance request, Good Timber now asks this Board to make a decision that will further aggravate an ongoing, very expensive legal dispute.

The Good Neighbors have submitted a **60-day notice of their intent to sue** Good Timber under the Clean Water Act.<sup>3</sup> The Amy Corps has also confirmed that and are presently reviewing the Good Neighbor's **petition to revoke** Good Timber's permit for egregious noncompliance, and to declare jurisdiction over this home construction project.<sup>4</sup>

#### The Godfrey Residence variance application materials are also wildly misleading.

Good Timber's purported justification for Lake Washakie was "habitat restoration and enhancement" of what they claimed were degraded wetlands. This was a demonstrably false narrative. Shown below is the pristine condition of this property three months before Good Timber purchased the property in December of 2021. (October 4, 2021 Good Earth aerial)



<sup>&</sup>lt;sup>2</sup> SEE ATTACHMENT B: *Little Warm Creek Restoration Project preliminary estimate of Restoration Costs*, May 29, 2025 by Biota Research & Consulting Inc.

<sup>&</sup>lt;sup>3</sup> SEE ATTACHMENT C: Notice of intent to sue Good Timber Ranch LLC, Nathan Godfrey, Jared Smith, and the Jared Smith Revocable Living Trust over violations of the Clean Water Act and their Nationwide Permit at Good Timber Ranch in Victor, Idaho.

<sup>&</sup>lt;sup>4</sup> SEE ATTACHMENT D: Good Neighbors' complaint and request to revoke Nationwide Permit 27 authorization for Good Timber Ranch NWW-2021-303-I02, under 33 CFR 330.5 for egregious noncompliance.

Attached to this letter is a Site Assessment from Biota Research & Consulting Inc. which details the high quality fens once located on Good Timber Ranch that were likely destroyed by their excavators last July, and the **truly obliterated condition of the property today**.<sup>5</sup>



May 14, 2025 aerial of Good Timber Ranch, produced by Biota. (See page 13 of Biota site assessment attached to this letter) Note the impacted area includes a portion of the site for Godfrey Residence, which proposes to disturb ANOTHER 0.89 acres.

The variance materials presented to you also very conspicuously **OMIT** the Godfrey residence (with septic and well system in place) that already exists immediately to the north. They used a LIDAR for 2021 instead of the many more current aerial images that are readily available to use. This Board cannot accurately evaluate the merits and the impacts of this variance application when cast against such a demonstrably false backdrop.

<sup>&</sup>lt;sup>5</sup> SEE ATTACHMENT E: *Good Timber Ranch LLC Site Condition Assessment* by BIOTA Research & Consulting Inc. dated May 21, 2025.



July 24, 2024 Google earth aerial showing the proposed homesite, destruction of wetlands and stream channels, AND the already-existing Godfrey residence to the north.

Look at the image above. This Board has been asked to grant a variance setting aside well-established standards and ordinances directly aimed to protect surface waters, and fragile natural resources, in order to construct a massive 9,187 sf house<sup>6</sup> totalling 12,950 sf of impervious surfaces to be sandwiched between Big Spring Creek and Alder Spring Creek, built up on a 10-foot earthen platform to be held back by straw wattles.<sup>7</sup> This project

<sup>&</sup>lt;sup>6</sup> SEE ATTACHMENT F: *Godfrey Residence Architectural Plans* show 3,503 sf of non-habitable space proposed, which appears to be an effort to disguise two more bedrooms, a bathroom, and gathering space with wet bar.

<sup>&</sup>lt;sup>7</sup> SEE ATTACHMENT G: Godfrey Residence Grading and Excavation Plans. These plans show

proposes to **disturb another 0.89 acres** of land, immediately abutting and upstream from the 13.9 acres that are already destroyed and discharging sediment into a 303(d) listed stream.

#### The Godfrey Residence variance application FAILS to satisfy criteria 4, 5, 6, and 8.

As a variance proceeding, the heavy burden of proof rests with the applicant to proactively build up a record of facts to support an affirmative finding by this Board that **every single one of the variance criteria** in Land Development Code (LDC) 4-9-E has been met. If even one criteria is not satisfied, this Board must deny the variance. Where there are conflicting facts in the record, this Board is empowered and obligated to weigh them in order to determine which are most credible. This variance clearly fails to meet the following criteria:

### <u>Criteria 4.</u> The requested variance is NOT in harmony with the purpose and intent of the LDC; it will directly cause continued ongoing injury to abutting properties.

Good Timber's destruction of Little Warm Creek is unquestioned and ongoing, as documented in the attached Biota Site Assessment. Through their actions over the past year, they have proven incapable of properly managing their site to contain stormwater and erosion runoff. With this variance, they now seek to **impact another 0.89 acres**, infringing on the wetland setback by placing a truly enormous house with extensive patio features between two already-impated creeks. The proposed 10-foot earthen berm that will supposedly support this structure is equally alarming and will generate even more discharges.

Granting this variance will have a significant ongoing harmful impact on the abutting property owners living downstream. They have suffered harm and ongoing damages in the form of degraded streams and springs traversing their properties - namely Little Warm Creek which once ran clear and carried cutthroat trout through their lands and holding ponds, and eventually on to the Teton River. Now, these streams and interconnected holding ponds are full of sediment, debris, and absolutely choked with algae. The fish are gone. They have culinary wells that once ran clear which are now **turbid and unusable** - even for washing crops.

As for future harm, both <u>Canewater Farm</u> (click to view) and <u>Snowdrift Farm</u> (click to view) are small organic farms sitting in the crosshairs for herbicide and pesticide contamination. **Their crops directly abut** the 13.9 acres of scraped earth that is now a veritable sea of invasive weeds. It seems likely that reclamation of Good Timber will not be possible without the large-scale application of herbicides immediately abutting their crops. Good Timber has taken no remediative action on their property. Granting this variance will simply widen the swath of destruction that will soon require the application of chemical weed controls.

significant impacts to creeks and wetlands.

#### <u>Criteria 5.</u> The special circumstances here are entirely the result of the Applicant.

Good Timber Ranch includes 6 parcels of land, totaling roughly 175 acres. The parcel in question is 5.37 acres. There is plenty of room to build a large house. Yet the applicant is choosing to sandwich an enormous 9,187 sf house totalling 12,950 sf of impervious surfaces between Big Spring Creek and Alder Spring Creek. To achieve this, they have to site the house on a 10-foot earthen platform to be held back by straw wattles. It is not necessary to site the house in this location; there is plenty of upland area where it can be moved.

## <u>Criteria 6.</u> The variance requested is NOT the minimum variance that will make possible the proposed use of the land; it is an excessive, unduly large request.

Look at the 2021 aerial photo above - this land was pristine before Good Timber purchased it. What's happened over the past 4 years under Good Timber's ownership is a travesty. Bit by bit, they have attempted to take this beautiful natural landscape and artificially reshape it into their own desired creations with little care or concern for the people trying to earn a living downstream. First it was Lake Washakie. Now it is this house, which is clearly too big to be placed in this location. The aerials show how Good Timber scraped away significant land right in this area to create a construction parking lot. The house can easily be moved there. This is NOT an undue hardship.

#### Criteria 8. Granting this variance directly conflicts with the public interest.

Teton County has a long-standing policy that no permits shall be granted to property under a Stop Work Order. This should be no exception. Likewise, Teton County should not grant a variance that would enable further scraping and excavation which will aggravate an ongoing public safety hazard. Because of Good Timber's excavation work last summer, Little Warm Creek is now severely impaired, injuring two local farms and 3 other landowners. Why grant a permit that will only make it worse?

#### **Conclusion**

Requesting a variance while making no effort to limit the size, scale, location, and footprint of development is not an undue hardship. The facts in the record clearly support a finding that Good Timber has failed to satisfy criteria 4, 5, 6, and 8. Moreover, Good Timber has actively misled this Board with their application materials, and has shown no regard for wetland regulations as evidenced by the emergency Stop Work Order. We look forward to submitting further comments at the June 10, 2025 hearing. With this letter I am also formally requesting to be given the opportunity for surrebuttal at the hearing. I am preserving this issue now, in advance, as I anticipate information being introduced by the Applicant just prior to, or during the hearing.<sup>8</sup>

<sup>&</sup>lt;sup>8</sup> Whitted v. Canyon Cnty. Bd. of Comm'rs, 137 Idaho 118, 121, 44 P.3d 1173, 1176 (2002)

Thank you for your time and consideration. Respectfully,

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Anna R. Trentadue Esq. Trentadue Law Office *Attorney for the Good Neighbors* 

CC: D. Andrew Rawlings Bailey Smith

#### ATTACHMENTS:

- A. Teton County Stop Work Order.
- *B. Little Warm Creek Restoration Project preliminary estimate of Restoration Costs*, May 29, 2025 by Biota Research & Consulting Inc.
- C. Notice of intent to sue Good Timber Ranch LLC, Nathan Godfrey, Jared Smith, and the Jared Smith Revocable Living Trust over violations of the Clean Water Act and their Nationwide Permit at Good Timber Ranch in Victor, Idaho.
- D. Good Neighbors' complaint and request to revoke Nationwide Permit 27 authorization for Good Timber Ranch NWW-2021-303-I02, under 33 CFR 330.5 for egregious noncompliance.
- *E. Good Timber Ranch LLC Site Condition Assessment* by BIOTA Research & Consulting Inc. dated May 21, 2025.
- F. Godfrey Residence Architectural Plans
- G. Godfrey Residence Grading and Excavation Plans.





### DO NOT REMOVE THIS NOTICE

**Owner:** Good Timber Ranch LLC

**Property Address:** 1085 Good Timber Ranch Rd (fka 10702 S 1000 W), 1160 Good Timber Ranch Rd, 1300 Good Timber Ranch Rd, TBD Good Timber Ranch Rd

Legal Description: RP03N45E224801, RP03N45E224900, RP03N45E225450, RP03N45E227200 SEC 22 T3N R45E

This property has been inspected and the following items were found <u>not</u> to comply with the Teton County Land Development Code (LDC) and the International Building Code (2018 IBC) :

Grading without a Grading & Erosion Control Permit

**Teton County Land Development Code Chapter 5** (section 5-2-1 Grading Standards) states: **B. Applicability** 

1. Grading for all developments (roads, driveways, building sites, landscaping, utilities, etc.) are required to meet the provisions of this Section.

- Extensive grading and excavation has been observed on all parcels listed above

Construction without proper permit - Rock Retaining Wall

International Building Code (IBC) Chapter 1 Section 105 PERMITS

**105.1 Required.** Any owner or owner's authorized agent who intends to construct... which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

The plans that were approved in 2021 did not include details for the retaining wall

Construction on an expired permit

#### International Building Code (IBC) Chapter 1 Section 105 PERMITS

**105.5 Expiration**. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

- Permit # 21-1015-342 was issued on October 15, 2021. No inspections have been requested or performed and there has been no contact from the owner.

Other structures have been observed on one or more of the parcels listed above adding the potential for similar violations for construction without proper permits. Additional information is needed for all of the development on site.

#### NO FURTHER WORK MAY BE DONE WITHOUT APPROVAL OF THE COUNTY PLANNING, BUILDING AND PUBLIC WORKS DEPARTMENTS

Please contact Teton County immediately. LDC 1-7: Violating any provisions of the LDC shall constitute an infraction punishable by a penalty of fines. These punishments shall not enjoin Teton County from seeking further civil remedies for each violation. Every day or portion thereof during which a violation is committed, continued or permitted is a separate offense and is punishable as such.

Jade Krueger, Planning Administrator (Date)

## **Attachment B**

#### Little Warm Creek Restoration Project, Teton County, ID

PRELIMINARY ESTIMATE OF RESTORATION COSTS

5/29/2025

ITEM	UNIT	TOTAL	UNIT	AMOUNT	
		QUANT.	PRICE	\$	Notes
1. PROJECT DESIGN AND PERMITTING					
SITE SURVEY, DESIGN, PERMITTING	LS	1	25,000.00	\$25,000	Cost to survey the stream reach, compile design details and specifications, submit permit applications to Teton
	-				County, Army Corps, Idaho Department of Water Resources
2. CONSTRUCTION GENERAL ITEMS					
MOBILIZATION AND DEMOBILIZATION (SEE BELOW)	LS	1	SEE BELOW	SEE BELOW	
WATER MANAGEMENT	EA	1	\$75,000	\$75,000	Install 6" pump to de-water work areas. Move dewatering system downstream as work progresses. Operate and maintain de-watering system throughout project implementation.
3. CHANNEL RESTORATION					
					Cost to excavate silt and sediment from stream channel. Assumes 4,300 ft reach and 3 ft width. 1 foot of sediment to
EXCAVATION OF CHANNEL SEDIMENTS	FT	4,300	\$50	\$215,000	be removed (the surface layer of fine sediments that is now intermingled with native sediment). Estimated 478 cy of
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PLACEMENT OF CLEAN SUBSTRATE	FT	4,300	\$65	\$279,500	Cost to place clean oversized screened rock to re-establish pre-disturbance substrate and channel profile/conditions.
PLACEMENT OF CLEAN SUBSTRATE	FI	4,300	205	\$279,500	Estimated 4,300 ft reach and the placement of 478 cy oversized screened rock.
4. POND RESTORATION					
REMOVAL OF SEDIMENT FROM POND	HRS	32	\$420	\$13,440	Tracked excavator and haul truck to remove fine sediment deposited within pond.
ON SITE DISPOSAL OF EXCAVATED SEDIMENT	HRS	8	\$200	\$1,600	Spreading and cleanup of spoils berm (dozer)
5. MATERIALS					
OVERSIZED SCREENED ROCK (PURCHASE)	СҮ	478	\$20	\$9,560	Cost to purchase oversized screened rock for placement in cleaned out stream channel
OVERSIZED SCREENED ROCK (DELIVERY)	HRS	48	\$200	\$9,600	Cost to deliver oversized screened rock (trucking)
EXCAVATED SILT AND SEDIMENT REMOVAL (TRUCKING)	HRS	48	\$200	\$9,600	Cost to haul away silt and sediment removed from stream channel
EXCAVATED SILT AND SEDIMENT REMOVAL (LOADING TRUCKS)	HRS	48	\$220	\$10,560	Cost to load trucks with silt and sediment removed from the stream channel
				,	
6. REVEGETATION					
BROADCAST SEEDING DISTURBED AREAS	AC	2	\$4,000	\$8,000	Cost to acquire native seed mix and broadcast across areas of temporary disturbance (equipment haul routes,
BROADCAST SEEDING DISTORBED AREAS	AC	2	\$4,000	38,000	stockpile areas, access routes).
SHRUB PLANTINGS	EA	75	\$75	\$5,625	Cost to purchase and install nursery grown shrubs to replace woody vegetation damaged during implementation.
7. SITE RECLAMATION AND SEEDING					
PROJECT CLEANUP & REPAIRS	LS	1	\$10,000	\$10,000	Remove garbage, haul off debris, decommission access routes and staging, etc. at end of project.
	SUBTOTA		\$10,000	\$672,485	היבוויטיב צמו שמצב, וומנו טון מבטווז, מבנטוווווזזזוטון מנגבזז וטענבז מות זנמצוווצ, בנג. מו בווע טו 10טובנג.
		SOBIOTAL		çç, <u>1</u> ,105	
	MOBILIZATION (10%) SUBTOTAL			\$67,200	
				\$739,685	
				+.00,000	
	CONTINGENCY (10%)		\$74,000		
				404 4	
				\$814,000	TOTAL OPINION OF PROBABLE CONSTRUCTION COST (Rounded to the nearest thousand dollars)

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#### May 28, 2025

## Attachment C

Via certified mail, return receipt requested and Email

Good Timber Ranch, LLC Nathan Godfrey, Manager and 5% owner of Good Timber Ranch LLC 1300 Good Timber Ranch Road Victor, Idaho 83455 nathan@coldewaterpaint.com Cloud Peak Law, LLC % Andrew Pierce Agent for Good Timber Ranch LLC 1095 Sugar View Drive Suite 500 Sheridan, WY 82801 reports@cloudpeaklaw.com

Jared Smith, Trustee JARED SMITH REVOCABLE LIVING TRUST u/d/t/ June 9, 2020 95% Owner of Good Timber Ranch LLC 412 Olive Ave, suite 490 Huntington Beach, CA 92648 jared@totallysmith.com

> Re: Notice of intent to sue Good Timber Ranch LLC, Nathan Godfrey, Jared Smith, and the Jared Smith Revocable Living Trust over violations of the Clean Water Act and their Nationwide Permit #27 at Good Timber Ranch in Victor, Idaho.

Dear Mr. Smith and Mr. Godfrey:

I represent a group of seven landowners abutting your property known as Good Timber Ranch in Victor, Idaho. The group includes owners of Snowdrift Farm, Canewater Farm, and three other abutting downstream property owners. For brevity, I'll refer to them as "the Good Neighbors." I have made an effort to ensure that both of you personally received this notice so you both will have the full understanding of the issues at stake here.

With this letter, the Good Neighbors hereby give you notice, pursuant to Section 505 of the Federal Water Pollution Control Act (CWA), 33 U.S.C. § 1365, of our intent to initiate a federal court lawsuit against you to enforce provisions of the CWA, 33 U.S.C. §§ 1311 & 1342. These violations stem from ongoing unauthorized discharges of pollutants into waters of the United States without a permit, and repeat violations of the terms and conditions of your Nationwide Permit #27 (NWP 27), issued by the U.S. Army Corps of Engineers (USACE).

You were issued NWP 27 on June 21, 2022 for construction of an artificial 3.94-acre lake ("Lake Washakie") and associated wetland restoration efforts. However, to date, 13.9 acres of land, including 1.8 acres of wetland, and 2,310 feet of spring creek stream channels are scraped away, permanently impacted, with inadequate, and failing Best Management Practices (BMPs). You dug, scraped, and removed these stream channels and wetlands over a period of approximately two weeks last summer, with no BMPs in place, sending a large bolus of sediment and debris down Little Warm Creek. Even though construction activity at Good Timber has been

halted since last August, fines and materials from last summer <u>still</u> continue to impact downstream reaches of Little Warm Creek, <u>and</u> your discharges leaving the Good Timber property still remain at or above the permitted impacts under Section 404 of the CWA. Little Warm Creek and the entire Warm Creek watershed **is also a 303(d) listed stream** that is impaired for cold water aquatic life, Salmonid spawning, and secondary contact recreation.<sup>1</sup> A foot of sediment now sits in the reaches of Little Warm Creek downstream from your property.<sup>2</sup>

Attached to this letter is a May 21, 2025 Memo from Biota Research & Consulting Inc. which details the high quality fens once located on Good Timber Ranch that were likely destroyed by your excavators last July, and the current non-compliant condition of Good Timber Ranch and ongoing discharges.<sup>3</sup> Biota has also documented an average increase of **4.2 NTUs** downstream from your property throughout this (unusually slow) spring run off. Unless you take the steps necessary to remedy the ongoing CWA violations <u>and</u> restore Little Warm Creek, we intend to file suit in the U.S. District Court for Idaho following the expiration of the 60-day statutory notice period, seeking injunctive relief, civil penalties, and other relief for any additional similar violations we identify subsequently. We are also poised to file a separate Trespass with Damages action to recover for the harm done to the Good Neighbors' properties.

#### **Location of Violations**

The violations are occurring and have occurred at Good Timber Ranch located at 1300 Good Timber Ranch Road, outside of Victor, Idaho 83455. Specifically, the affected waterbodies include Little Warm Creek, the Warm Creek watershed, Alder Spring Creek, Thoughtful Spring Creek, Forgotten Spring Creek, Big Spring Creek and all its associated wetlands and its associated wetlands, which are waters of the United States.

#### **Parties Giving Notice**

The Good Neighbors are downstream property and farm owners, whose land has been physically damaged by the ongoing downstream discharges caused by Good Timber's noncompliant scraping, bulldozing and lack of effective BMPs. Their full names and addresses are as follows:

Sue Miller & Gregory Collins Owners of Snowdrift Farm 10435 South 1750 West Victor, Idaho 83455 suebemm11@gmail.com gcollins@wyoming.com Rafe & Ansley Rivers Owners of Canewater Farm 1566 West 10250 South Victor, Idaho 83455 raferivers@gmail.com ansleywest@gmail.com

<sup>&</sup>lt;sup>1</sup> Warm Creek - source to mouth Assessment Unit ID: ID17040204SK034\_02 has been listed as 303(d) impaired in 2016, 2020, 2022, and 2024.

<sup>&</sup>lt;sup>2</sup> <u>Click to view</u> photo and video documentation of ongoing sedimentation from May 2025.

<sup>&</sup>lt;sup>3</sup> See, Attachment A to this letter: *Good Timber Ranch LLC Site Condition Assessment* by BIOTA Research & Consulting Inc. dated May 21, 2025.

Georgie Stanley PO Box 928 Jackson, Wyoming 83001 georgiews4@gmail.com Brian & Elizabeth Maguire 10165 West 10250 South Victor, Idaho 83455 brianm@vertsolutions.com elizabethmaguire85@gmail.com

Collectively, the Good Neighbors own approximately 85 acres of land directly downstream from Good Timber Ranch. Some of them depend on their land for their livelihood. They have suffered harm and ongoing damages in the form of degraded streams and springs traversing their properties - namely Little Warm Creek which once ran clear and carried cutthroat trout through their lands and holding ponds, and eventually on to the Teton River. Now, these streams and interconnected holding ponds are full of deep sediment, debris, and absolutely choked with algae. The fish are gone. They have culinary wells that once ran clear which are now turbid and unusable - even for washing crops.

As for future harm, both <u>Canewater Farm</u> and <u>Snowdrift Farm</u> (click to view) are small organic farms sitting in the crosshairs for herbicide and pesticide contamination from Good Timber Ranch. Their crops <u>directly abut</u> the 13.9 acres of scraped earth on Good Timber Ranch that is now a veritable sea of invasive weeds. Unless swift action is taken by you to resolve this issue, it seems likely that reclamation of Good Timber will not be possible without the large-scale application of herbicides, which will then drift onto their crops, contaminating them.

#### **Summary of Violations**

You were issued a NWP 27 on June 21, 2022, and the purported justification for your project was "habitat restoration and enhancement" of what you claimed were degraded wetlands located onsite. Right from the start, the NWP 27 required Good Timber to comply with all state and local permitting requirements prior to any earthwork. Yet, Good Timber took all of the destructive actions documented in the Biota Memo <u>without</u> a Stream Channel Alteration Permit (I.C. § 42-3803), <u>without</u> a Teton County Grading and Excavation Permit (Teton County Land Development Code 5-2-1), and <u>without</u> the appropriate water rights to fill their Lake Washakie. (I.C. § 42-222(1)). The public record shows that county and state agents repeatedly reported in emails that Good Timber's representative Nathan Godfrey had told them he had these permits, when in fact he did not.

<u>No BMP's</u> were in place at the time of Good Timber's scraping and excavation work, sending a massive bolus of sediment and debris downstream, where it is <u>still discharging</u> and damaging Little Warm Creek and private property even today. On information and belief, you had no BMPs in place for at least 11 days last July, and very likely longer.<sup>4</sup> A July 26, 2024 <u>field report</u> from the Idaho Department of Environmental Quality detailed turbidity levels at 80FNU immediately downstream from you. Teton County Planner Torin Bjorklund reported on

<sup>&</sup>lt;sup>4</sup> The Good Neighbors have <u>video documentation from July 18, 2024</u> (click link to view) that shows extensive earthwork was already well underway at this time. DEQ Water Quality Analyst Cherie Windsor sent an email communication to USACE indicating that she inspected the newly placed BMPs on July 29, 2024.

that same day you denied county and DEQ field agents access to investigate:

The applicant and excavation owner called their attorney when we were on site. They suggested that they may be "incriminating themselves" by allowing us to take photos of the silt screens that were just installed. The waddles will be completed on Monday and they told us to come back then.<sup>5</sup>

Minimal BMPs were observed the following Monday, July 29, 2024 by DEQ field agents. As demonstrated in the Biota Memo, these BMPs were ineffective to begin with, and have been neglected, left to break-down and degrade over the winter, allowing even more discharges. The sedimentation of Little Warm Creek is <u>ongoing</u>. Spring runoff has been unusually slow this year, and yet, there is still an average increase of **4.2** NTU's immediately downstream from the Good Timber property due to the lack of erosion control.

The Biota Memo also details <u>the specific manner</u> in which your excavators scraped, pushed, and bulldozed 13.9 acres, caused severe damage to 1.8 acres of wetland and obliterated 2,310ft spring creek stream channels, leaving them not able to be readily reclaimed. These are <u>permanent impacts</u>, far in excess of the treatment areas proposed and permitted in your March 8, 2022 Joint Application for Permits. You took an exceedingly blunt approach to this excavation work, with no attention towards your claimed goal of wetland enhancement. The end result of this overly aggressive excavation work is a swath of permanent impacts that <u>far exceed</u> the terms of your NWP 27. You permanently impacted **1.8 acres** of wetlands, of which 0.28 acres would be emergent wetlands and 0.53 acres would be scrub-shrub wetlands. You razed **2,310 ft** of spring creek stream channels when the permit allowed for **1,904 ft**. These are unacceptable overages that severely damaged surface water, a 303(d) listed stream, and abutting wetlands.

A Notice of Intent to Enforce was issued against Good Timber Ranch on August 6, 2024. However, a compliance determination letter was then issued on December 10, 2024.

#### **Nature of CWA Violations**

You are in violation of Sections 301(a) and 404 of the CWA, 33 U.S.C. §§ 1311(a) and 1344, by discharging pollutants into waters of the United States in excess of the limits and conditions of your NWP 27. Based on our many observations and available information, it appears that your activities at Good Timber Ranch which were purportedly for aquatic habitat restoration, establishment, and enhancement repeatedly violated the terms of your Nationwide Permit by causing permanent destructive impacts. These violations include, but are not limited to, the following:

1. Excessive dredging and scraping: The extensive and aggressive scraping and filling of Alder Spring Creek, Thoughtful Spring Creek, Forgotten Spring Creek, Big Spring Creek and all its associated wetlands have resulted in the fundamental alteration and

<sup>&</sup>lt;sup>5</sup> July 26, 2025 Torin Bjorklund <u>email</u> to state and federal agencies.

degradation of the entire natural stream system, which collects and flows off Good Timber Ranch via Little Warm Creek. This is not a "minimal" effect; it is a profound and lasting environmental impact. 13.9 acres have been totally cleared away, completely destroying 2,310 ft of spring creek stream channels, and impacting 1.8 acres of wetland.

- 2. Using heavy machinery in the riparian zone and stream channel with no BMPs: The use of heavy machinery (e.g., excavators, bulldozers) within the riparian zone and directly in the wetted channel without adequate erosion control measures has resulted in substantial sediment runoff into Little Warm Creek. This sediment is a pollutant as defined by the CWA and is significantly degrading water quality throughout the Little Warm Creek system. Downstream reaches of Little Warm Creek now carry a foot of sediment on the bottom.
- **3.** Altering the natural flow of spring creek stream channels: Your purported restoration activities have involved the total destruction of several stream channels, significantly altering the natural flow of Alder Spring Creek, Thoughtful Spring Creek, Forgotten Spring Creek, Big Spring Creek in violation of the requirement that NWP 27 activities result in "overall improvements to aquatic resources." There are no improvements here; the water resources have been totally destroyed.
- 4. No establishment of appropriate native vegetation: Your activities have not ensured the establishment of appropriate native vegetation to stabilize disturbed areas, leading to continued erosion and sedimentation, contrary to the objectives of NWP 27. Vegetation has not been preserved, or temporarily impacted to the minimum extent feasible. Instead, it has been totally scraped away. No effort was made to preserve or minimize impacts to wetlands and riparian vegetation.
- 5. Ongoing sediment discharges into a 303(d) listed creek due to a lack of BMPs. Your current BMPs and erosion control measures are inadequate or simply missing around the massive stockpiles of soils, fines, and debris throughout your property. Straw waddles and screens have quickly degraded and broken down due to a lack of maintenance. As a result you have created two types of unpermitted discharges into Little Warm Creek: (1) the bolus of sediment you released last summer which is still moving downstream, and (2) the ongoing discharges from Goods Timber Ranch due to lack of effective erosion control which average 4.2 NTUs higher than background levels.

These activities have resulted in the unauthorized discharge of pollutants, including but not limited to, dredged material, fill material, and sediment, into waters of the United States. Such discharges are unlawful without a valid Section 404 permit or if they exceed the conditions of an existing permit.

#### Failure to Comply with Specific NWP 27 Regional Conditions

The activities at Good Timber Ranch demonstrate an ongoing failure to comply with the region specific conditions of your permit. The NWP 27 permit is specifically designed to cover aquatic restoration and enhancement activities - but that is not what has happened here.

- 1. Direct Channelization/Alteration in Violation of Regional Conditions C and D: The explicit conversion of the onsite natural stream channels into a uniform, straightened ditch violates the spirit and letter of NWP 27 which is intended to focus on restoration, not conversion or destruction of waterways. The documented destruction of natural riffle-pool sequences, channelization, and the filling of wetlands represent a loss of aquatic functions and services, directly contradicting the "net increases" requirement of NWP 27 and exceeding the minimal impact threshold.
- Lack of Effective Erosion and Sediment Controls in Violation of Regional Addition 12: The continuous discharge of sediment into Little Warm Creek due to inadequate BMPs is a clear violation of Regional Addition 12 and constitutes unauthorized pollution under the CWA.
- **3.** Lack of Stabilization and Establishment of Native Vegetation in Violation of Regional Conditions B, H, and Regional Addition 12: Good Timber's failure to effectively stabilize disturbed areas, preserve vegetation as much as possible, and timely establish native vegetation has ensured the ongoing erosion. Without these stabilizing measures in place, successful restoration is not possible, nor has it even been attempted here.
- 4. Failure to Achieve Restoration Goals in Violation of Regional Condition B: The activities at Good Timber have not resulted in "aquatic habitat that resembles an ecological reference" nor have they led to "net increases in aquatic resource functions and services." The work plan presented in Good Timbers' March 8, 2022 Joint Application for Permits laid out a plan for minimal impacts wherever possible. Instead, you have caused large losses of riparian and wetland habitat types. No restoration work has been done; your impacts are permanent.

#### **Environmental Harm Caused Your Activities At Good Timber Ranch**

The noncompliance at Good Timber Ranch has caused, and continues to cause, severe environmental harm, including:

- **1.** Loss of Functional Wetlands: The scraping and filling of wetlands has eliminated critical filtration, flood storage, and wildlife habitat.
- 2. Degradation of Stream Ecosystem: Channelization of Big Spring Creek, combined with excessive continued sedimentation, and the dramatic alteration of flow regimes have reduced macroinvertebrate populations, and negatively impacted fish habitat.
- **3. Impaired Water Quality:** Increased turbidity and sediment loads from the Good Timber property have significantly reduced water quality, affecting aquatic life and downstream users. The Good Neighbors' downstream reaches of Little Warm Creek have suffered significant sedimentation, loss of fish, and large algae blooms. This injury is ongoing as last summer's sedimentation continues to mobilize downstream, and the Good Timber

property is also still discharging. Moreover, both Canewater and Snowdrift are small organic farms sitting in the crosshairs for high levels of herbicide and pesticide contamination. Their crops <u>directly abut</u> the 13.9 acres of scraped earth on Good Timber Ranch that is now a veritable sea of invasive weeds. It seems likely that reclamation of Good Timber will not be possible without the large-scale application of herbicides that will drift onto their crops.

4. Loss of Riparian Buffers: The total removal of native riparian vegetation along 2,310 ft of spring creek stream channels exacerbates erosion, increases water temperatures, and diminishes terrestrial habitat value. Little Warm Creek is a 303(d) listed stream; these buffers were a last line of defense to reduce sedimentation and temperature increases.

#### **Relief Requested**

There are two potential tracks here: the relief the Good Neighbors ask from you in order to settle this dispute, versus the relief the Good Neighbors will seek if forced to bring suit in the Federal District Court of Idaho for violating the CWA coupled with a separate action for trespass, damages, attorney fees, and <u>punitive damages</u>.

**Track 1:** In order to settle this dispute outside of litigation, the Good Neighbors request the following, to be resolved in further detail, and formalized in a stipulated settlement agreement:

- Remediate the entire Little Warm Creek watershed from Good Timber Ranch down through the Maguire property. Good Timber must develop and implement a comprehensive, USACE-approved plan for the full restoration and remediation of the <u>entire Little Warm Creek system and adjacent wetlands</u>. This plan must prioritize returning the affected areas to a natural, functioning condition, which means Good Timber must fix the habitat destruction, channelization, and sediment issues they have created. Biota is currently designing a comprehensive restoration plan which we will share with you as soon as it is finalized. Good Timber must stabilize and fix the entire system that it damaged.
- 2. No lake Washakie. This is a fragile, unique spring system that has been upended by your excavation work last summer. Implement a USACE-approve plan to restore the springs, wetlands and stream channels onsite.
- 3. Timely commit to organic remediation in order to not contaminate neighboring crops.
- 4. Move the proposed Godfrey Residence outside of the wetland setbacks.
- **5.** Bring the proposed Godfrey Residence into compliance with Teton County's dark skies ordinances. (Teton County Land Development Code 5-8)
- **6.** Plant a vegetation border between Good Timber Ranch, Canewater Farm, and Snowdrift Farm. Vegetation type and size can be determined on mutual agreement of all parties.
- 7. Pay for costs and attorney fees incurred by the Good Neighbors in issuing this complaint.

**Track 2:** On the other track, pursuant to 33 U.S.C. § 1365(a), the Good Neighbors can to seek the following relief in a civil action if the violations are not cured within sixty (60) days of your receipt of this notice:

- 1. A declaratory judgment that Good Timber Ranch LLC has violated and continues to violate the Clean Water Act.
- 2. Injunctive relief, including but not limited to, an order requiring Good Timber Ranch to immediately cease all unauthorized discharges and activities, and to undertake comprehensive restoration and remediation of the affected waters and wetlands to their original condition or to a condition that fully complies with the CWA and the intent of NWP 27.
- **3.** The assessment of civil penalties against Good Timber Ranch LLC for each violation of the CWA, for each day of violation, as provided in 33 U.S.C. § 1319(d) and adjusted for inflation pursuant to 40 C.F.R. Part 19.
- 4. An order requiring Good Timber Ranch to pay all litigation costs, including reasonable attorneys' fees, expert witness fees, and other costs, incurred by the Good Neighbors in pursuing this enforcement action, pursuant to 33 U.S.C. § 1365(d).
- 5. Any other relief as the Court deems appropriate.

<u>In addition</u> to the federal CWA action, Good Neighbors are poised to promptly file a separate action against you for Civil Trespass and Civil Trespass with Damages to their properties. They will seek to recover not only the costs to remediate their property, attorneys fees, but they will also seek <u>punitive damages</u> in this case. We have co-counsel lined up and are readily prepared to take this step, if necessary. Pursuing this second track will delay <u>all</u> construction at Good Timber Ranch, potentially drag out this conflict for several more years, and cost significantly more money for you.

#### Conclusion

Mr. Smith and Mr. Godfrey, we believe that the ongoing damage to Little Warm Creek and the Good Neighbor's property is not going away unless you take action to resolve these issues. All of the ongoing harm was easily preventable here. It is time to turn your attention towards mitigating damages and fixing this mess - which is what the Good Neighbors desire most of all. We believe our claims are vetted and meritorious with a high potential for success including and especially, an award of punitive damages against you given the extensive documentation that we have.

If, during the 60-day notice period, you would like to discuss any aspect of this notice or explore options for resolving the issues described herein, please contact me (contact info below). We do not presently intend to delay the filing of a lawsuit past the end of the 60-day notice period—even if settlement negotiations are in progress at that time. Any interest in such discussions should be communicated at your earliest possible convenience.

I look forward to hearing from you. Respectfully,

Anna R. Trentadue Esq. Trentadue Law Office anna@trentaduelawoffice.com *Attorney for the Good Neighbors* 

ATTACHMENTS:

A- *Good Timber Ranch LLC Site Condition Assessment* by BIOTA Research & Consulting Inc. dated May 21, 2025.

#### CC Via Certified Mail, Return Receipt Requested and Email:

James Werntz, Director Idaho Operations Environmental Protection Agency 950 W Bannock Suite 900 Boise, ID 83702 Werntz.james@epamail.epa.gov

Troy Saffle, Regional Administrator Idaho Dept. of Environmental Quality Idaho Falls Regional Office 900 N. Skyline Drive Suite B Idaho Falls, Idaho 83402 Troy.Saffle@deq.idaho.gov

James Cefalo, Regional Manager Idaho Dept. of Water Resources Eastern Region Office 900 North Skyline Drive, Suite A Idaho Falls, Idaho 83402-1718 James.Cefalo@idwr.idaho.gov

LTC Kathryn A Werback US Army Corps of Engineers Walla Walla District Regulatory Division Office 720 E. Park Boulevard, Suite 245 Boise, Idaho 83712

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Jared Smith C/O Agent for NEWBO Property Management Inc. 330 North Brand Boulevard Suite 700 Glendale, CA 91203

#### TRENTADUE LAW OFFICE PLLC | PO BOX 1443 DRIGGS ID 83422 | 208-557-4846

# **Attachment D**

May 28, 2025

Sent via Email

LTC Kathryn A Werback US Army Corps of Engineers Commander and District Engineer Walla Walla District Regulatory Division Office 720 E. Park Boulevard, Suite 245 Boise, Idaho 83712 Kathryn.A.Werback@usace.army.mil James M. Joyner US Army Corps of Engineers Walla Walla District Idaho Falls REgulatory Office 900 n. Skyline Road, Suite A Idaho Falls, Idaho 83402 James.m.joyner@usace.army.mil

#### Re: Good Neighbors' complaint and request to revoke Nationwide Permit 27 authorization for Good Timber Ranch NWW-2021-303-I02, under 33 CFR 330.5 for egregious noncompliance.

Dear LTC Werback and Mr. Joyner,

This letter serves as a formal and urgent request, pursuant to the authority granted under 33 CFR 330.5, for the U.S. Army Corps of Engineers (USACE) to review and revoke the Nationwide Permit No. 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities) held by Good Timber Ranch, located at 1300 Good Timber Ranch Road in Victor, Idaho 83422. The permit was issued on June 21, 2022 for construction of an artificial 3.94-acre lake ("Lake Washakie") and associated restoration efforts. However, to date, 13.9 acres of land, including 1.8 acres of wetland, and 2,310 feet of spring creek stream channels are scraped away, permanently impacted, with inadequate, and failing Best Management Practices (BMPs).

Even though construction activity at Good Timber has been halted since last August, sediment and debris from Good Timber's vast excavation work <u>still</u> continues to impact downstream reaches of Little Warm Creek, <u>and</u> their discharges remain at or above the permitted impacts to Waters of the United States, which are regulated by USACE under Section 404 of the Federal Water Pollution Control Act (CWA). Little Warm Creek and the entire Warm Creek watershed **is also a 303(d) listed stream** that is impaired for cold water aquatic life, Salmonid spawning, and secondary contact recreation.<sup>1</sup>

The purported justification for Good Timber's permit was "habitat restoration and enhancement" of what Good Timber claimed were degraded wetlands located onsite. This was a demonstrably false narrative. Attached to this letter is a May 21, 2025 Memo from Biota Research & Consulting Inc. which details the high quality fens once located on Good Timber Ranch that were likely destroyed by their excavators last July, and the current non-compliant

<sup>&</sup>lt;sup>1</sup> Warm Creek - source to mouth Assessment Unit ID: ID17040204SK034\_02 has been listed as 303(d) impaired in 2016, 2020, 2022, and 2024.

condition of Good Timber Ranch.<sup>2</sup> Biota has <u>extensive onsite knowledge</u> of the condition of this property prior to Good Timber Ranch LLC purchasing it.<sup>3</sup> Even though spring runoff has been unusually slow this year, Biota has still documented an average increase of **4.2** NTUs downstream from Good Timber these past two months.

The activities undertaken at Good Timber Ranch last summer under the purported authority of NWP 27 constitute severe and ongoing noncompliance with the terms and conditions of the permit and are causing significant (rather than minimal) permanent adverse environmental effects to Waters of the United States. These actions are fundamentally contrary to the CWA and the very purpose of NWP 27. Even today, Good Timber continues to discharge into Waters of the United States, damaging downstream reaches of Little Warm Creek, which is already impaired for temperature and turbidity. Good Timber has demonstrated a blunt inability to manage the site. Remediation is needed as soon as possible.

#### **Parties Giving Notice**

The parties giving notice are downstream property and farm owners, who can collectively be referred to as "The Good Neighbors." All of the Good Neighbors own land that has been physically damaged by the ongoing downstream discharges caused by Good Timbers noncompliant scraping, bulldozing and lack of effective BMPs. Their full names and addresses are as follows:

Sue Miller & Gregory Collins	Rafe & Ansley Rivers
Owners of Snowdrift Farm	Owners of Canewater Farm
10435 South 1750 West	1566 West 10250 South
Victor, Idaho 83455	Victor, Idaho 83455
suebemm11@gmail.com	raferivers@gmail.com
gcollins@wyoming.com	ansleywest@gmail.com
Georgie Stanley	Brian & Elizabeth Maguire
PO Box 928	10165 West 10250 South
Jackson, Wyoming 83001	Victor, Idaho 83455
georgiews4@gmail.com	brianm@vertsolutions.com
-	elizabethmaguire85@gmail.com

In total, the Good Neighbors own approximately 85 acres of land directly downstream from Good Timber Ranch. Some of them depend on their land for their livelihood. They have suffered harm and ongoing damages in the form of degraded streams and springs traversing their properties - namely Little Warm Creek which once ran clear and carried cutthroat trout via Little Warm Creek, through their lands and holding ponds, and eventually on to the Teton River. Now, these streams and interconnected holding ponds are full of sediment, debris, and absolutely

<sup>&</sup>lt;sup>2</sup> See, Attachment A to this letter: *Good Timber Ranch LLC Site Condition Assessment* by BIOTA Research & Consulting Inc. dated May 21, 2025.

<sup>&</sup>lt;sup>3</sup> For a more detailed description of the high-quality wetlands that were present at Good Timber Ranch prior to last summer's scraping and excavation, please contact our consultant, Ryan Colyer, Principal at Biota Research & Consulting, Inc. He can give you an in-depth background summary. Rcolyer@biotaresearch.com Cell 208 201-3081

choked with algae. The fish are gone. They have culinary wells that once ran clear which are now turbid and unusable - even for washing crops.

As for future harm, both <u>Canewater Farm</u> (click view) and <u>Snowdrift Farm</u> (click to view) are small organic farms sitting in the crosshairs for herbicide and pesticide contamination. Their crops <u>directly abut</u> the 13.9 acres of scraped earth on Good Timber Ranch that is now a veritable sea of invasive weeds. It seems likely that reclamation of Good Timber will not be possible without the large-scale application of herbicides immediately abutting their crops unless swift action is taken by you to resolve this issue.

#### Basis for Revocation under 33 CFR 330.5

The provisions of 33 CFR 330.5(d) explicitly grant District Engineers (DE) the discretionary authority to modify, suspend, or revoke Good Timber's permit. When deciding whether to modify, suspend, or revoke an activity's authorization under an NWP, the DE should consider to the extent relevant and appropriate:

- 1. Changes in circumstances relating to the authorized activity since the NWP itself was issued or since the DE confirmed authorization under the NWP by written verification;
- 2. The continuing need for, or adequacy of, the specific conditions of the authorization;
- 3. Any significant objections to the authorization not previously considered;
- 4. Progress inspections of individual activities occurring under an NWP;
- 5. Cumulative adverse environmental effects resulting from activities occurring under the NWP;
- 6. The extent of the permittee's compliance with the terms and conditions of the NWPs;
- 7. Revisions to applicable statutory or regulatory authorities;
- 8. The extent to which asserting discretionary authority would adversely affect plans, investments, and actions the permittee has made or taken in reliance on the permit;
- 9. Other concerns for the environment, including the aquatic environment under the section 404(b)(1) Guidelines, and other relevant factors of the public interest.

Criteria 1, 2, 3, 5, and 6 are particularly relevant here. Right from the start, the NWP 27 required Good Timber to comply with all state and local permitting requirements prior to any earthwork. Yet, Good Timber took all of the destructive actions documented in the Biota Memo without a Stream Channel Alteration Permit (I.C. § 42-3803), without a Teton County Grading and Excavation Permit (Teton County Land Development Code 5-2-1), and without the appropriate water rights to fill their Lake Washakie. (I.C. § 42-222(1)). The public record shows that county and state agents repeatedly reported in emails that Good Timber's representative Nathan Godfrey had told them he had these permits, when in fact he did not.

<u>No BMP's</u> were in place at the time of Good Timber's scraping and excavation work, sending a massive bolus of sediment and debris downstream, where it is <u>still discharging</u> and damaging Little Warm Creek and private property even today. On information and belief, Good Timber had no BMPs in place for at least 11 days last July, and very likely longer.<sup>4</sup> The Good Neighbors <u>thoroughly documented</u> several days of discharges with no BMPs. A July 26, 2024 <u>field report</u> from the Idaho Department of Environmental Quality detailed turbidity levels at 80FNU immediately downstream. Teton County Planner Torin Bjorklund reported that the county and DEQ were denied access to Good Timber Ranch that same day:

The applicant and excavation owner called their attorney when we were on site. They suggested that they may be "incriminating themselves" by allowing us to take photos of the silt screens that were just installed. The waddles will be completed on Monday and they told us to come back then.<sup>5</sup>

Minimal BMPs were observed the following Monday, July 29, 2024 by DEQ field agents. As demonstrated in the Biota Memo, these BMPs were ineffective to begin with, and have been neglected, left to break-down and degrade over the winter, allowing even more discharges. The sedimentation of Little Warm Creek is <u>ongoing</u>, with <u>twelve inches of sediment</u> sitting instream.

The Biota Memo also details <u>the specific manner</u> in which Good Timber scraped, pushed, and bulldozed 13.9 acres, caused severe damage to 1.8 acres of wetland and obliterated 2,310ft spring creek stream channels, leaving them not able to be readily reclaimed. These are <u>permanent impacts</u>, far in excess of the treatment areas proposed and permitted in the March 8, 2022 Joint Application for Permits. Good Timber took an exceedingly blunt approach to their excavation work, with no attention towards their claimed goal of wetland enhancement. The end result of their overly aggressive excavation work is a swath of permanent impacts that <u>far exceed</u> the terms of their NWP 27. They impacted **1.8 acres** of wetland when their Joint Application materials proposed a permanent impact of only **0.81 acres** of wetlands, of which 0.28 acres would be emergent wetlands and 0.53 acres would be scrub-shrub wetlands. They razed **2,310 ft** of spring creek stream channels when the permit allowed for **1,904 ft**. These are unacceptable overages that severely damaged surface water, a 303(d) listed stream, and abutting wetlands.

#### Nature of Good Timber's CWA Violations

Good TImber has violated Sections 301(a) and 404 of the CWA, 33 U.S.C. §§ 1311(a) and 1344, by discharging pollutants into waters of the United States in excess of the limits and conditions of your NWP 27. Based on our many observations and available information, it appears that activities at Good Timber Ranch which were purportedly for aquatic habitat restoration, establishment, and enhancement repeatedly violated the terms of their permit by causing permanent destructive impacts. These violations include, but are not limited to, the following:

<sup>&</sup>lt;sup>4</sup> The Good Neighbors have <u>video documentation from July 18, 2024</u> (click to view) that shows extensive earthwork was already well underway at this time. DEQ Water Quality Analyst Cherie Windsor sent an email communication to USACE indicating that she inspected the newly placed BMPs on July 29, 2024.

<sup>&</sup>lt;sup>5</sup> July 26, 2025 Teton County Planner Torin Bjorklund <u>email</u> to state and federal agencies.

- 1. Excessive dredging and scraping: The extensive and aggressive scraping and filling of Alder Spring Creek, Thoughtful Spring Creek, Forgotten Spring Creek, Big Spring Creek and all its associated wetlands have resulted in the fundamental alteration and degradation of the entire natural stream system, which collects and flows off Good Timber Ranch via Little Warm Creek. This is not a "minimal" effect; it is a profound and lasting environmental impact. 13.9 acres have been totally cleared away, completely destroying 2,310 ft of spring creek stream channels, and impacting 1.8 acres of wetland.
- 2. Using heavy machinery in the riparian zone and stream channel with no BMPs: The use of heavy machinery (e.g., excavators, bulldozers) within the riparian zone and directly in the wetted channel without adequate erosion control measures has resulted in substantial sediment runoff into Little Warm Creek. This sediment is a pollutant as defined by the CWA and is significantly degrading water quality throughout the Little Warm Creek system. Downstream reaches of Little Warm Creek now carry a foot of sediment on the bottom.
- **3.** Altering the natural flow of spring creek stream channels: Good Timber's purported restoration activities have involved the total destruction of several stream channels, significantly altering the natural flow of Alder Spring Creek, Thoughtful Spring Creek, Forgotten Spring Creek, Big Spring Creek in violation of the requirement that NWP 27 activities result in "overall improvements to aquatic resources." There are no improvements here; the water resources have been totally destroyed.
- 4. No establishment of appropriate native vegetation: Good Timber's activities have not ensured the establishment of appropriate native vegetation to stabilize disturbed areas, leading to continued erosion and sedimentation, contrary to the objectives of NWP 27. Vegetation has not been preserved, or temporarily impacted to the minimum extent feasible. Instead, it has been totally scraped away. No effort was made to preserve or minimize impacts to wetlands and riparian vegetation.
- **5. Ongoing sediment discharges into a 303(d) listed creek due to a lack of BMPs.** Good Timber's current BMPs and erosion control measures are inadequate or simply missing around the massive stockpiles of soils, fines, and debris throughout the property. Straw waddles and screens have quickly degraded and broken down due to a lack of maintenance. As a result this has created two types of unpermitted discharges into Little Warm Creek: (1) the bolus of sediment released last summer which is still moving downstream, and (2) the ongoing discharges from Good Timber Ranch due to lack of effective erosion control.

These activities have resulted in the unauthorized discharge of pollutants, including but not limited to, dredged material, fill material, and sediment, into waters of the United States. Such discharges are unlawful without a valid Section 404 permit or if they exceed the conditions of an existing permit.

#### Failure to Comply with Specific NWP 27 Regional Conditions

The activities at Good Timber Ranch demonstrate an ongoing total failure to comply with the region specific conditions of their permit. The NWP 27 permit is specifically designed to cover aquatic <u>restoration and enhancement</u> activities - but that is not what has happened here.

- 1. Direct Channelization/Alteration in Violation of Regional Conditions C and D: The explicit conversion of the onsite natural stream channels into a uniform, straightened ditch violates the spirit and letter of NWP 27 which is intended to focus on <u>restoration</u>, not conversion or destruction of waterways. The documented destruction of natural riffle-pool sequences, channelization, and the filling of wetlands represent a loss of aquatic functions and services, directly contradicting the "net increases" requirement of NWP 27 and exceeding the minimal impact threshold.
- Lack of Effective Erosion and Sediment Controls in Violation of Regional Addition 12: The continuous discharge of sediment into Little Warm Creek due to inadequate BMPs is a clear violation of Regional Addition 12 and constitutes unauthorized pollution under the CWA.
- 3. Lack of Stabilization and Establishment of Native Vegetation in Violation of Regional Conditions B, H, and Regional Addition 12: Good Timber's failure to effectively stabilize disturbed areas, preserve vegetation as much as possible, and timely establish native vegetation has ensured the ongoing erosion. Without these stabilizing measures in place, successful restoration is not possible, nor has it even been attempted here.
- 4. Failure to Achieve Restoration Goals in Violation of Regional Condition B: The activities at Good Timber have not resulted in "aquatic habitat that resembles an ecological reference" nor have they led to "net increases in aquatic resource functions and services." The work plan presented in Good Timbers' March 8, 2022 Joint Application for Permits laid out a plan for minimal impacts wherever possible. Instead, they have caused large losses of riparian and wetland habitat types. No restoration work has been done; these impacts are permanent. Indeed, the public record shows that USACE and state agents repeatedly expressed concern that the type of excavation work being done at Good Timber appeared to be prepping the area for <u>construction</u>, not restoration.

#### **Environmental Harm Necessitating Permit Revocation**

The noncompliance at Good Timber Ranch has caused, and continues to cause, severe environmental harm, including:

- **1.** Loss of Functional Wetlands: The scraping and filling of wetlands has eliminated critical filtration, flood storage, and wildlife habitat.
- 2. Degradation of Stream Ecosystem: Channelization of Big Spring Creek, combined with

excessive continued sedimentation, and the dramatic alteration of flow regimes have reduced macroinvertebrate populations, and negatively impacted fish habitat.

- **3. Impaired Water Quality:** Increased turbidity and sediment loads from the Good Timber property have significantly reduced water quality, affecting aquatic life and downstream users. The Good Neighbors' downstream reaches of Little Warm Creek have suffered significant sedimentation, loss of fish, and large algae blooms. This injury is ongoing as last summer's sedimentation continues to mobilize downstream, and the Good Timber property is also still discharging. Moreover, both Canewater and Snowdrift are small organic farms sitting in the crosshairs for high levels of herbicide and pesticide contamination. Their crops <u>directly abut</u> the 13.9 acres of scraped earth on Good Timber Ranch that is now a veritable sea of invasive weeds. It seems likely that reclamation of Good Timber will not be possible without the large-scale application of herbicides that will drift onto their crops.
- 4. Loss of Riparian Buffers: The total removal of native riparian vegetation along 2,310 ft of spring creek stream channels exacerbates erosion, increases water temperatures, and diminishes terrestrial habitat value. Little Warm Creek is a 303(d) listed stream; these buffers were a last line of defense to reduce sedimentation and temperature increases.

#### **Request for Immediate Action**

Given the clear and compelling evidence that Good Timber Ranch's activities are not in compliance with their NWP 27 authorization and are causing significantly more than minimal adverse environmental effects, we formally request that the USACE, under the authority of 33 CFR 330.5(c) and (d), immediately take the following actions:

- 1. Issue a Notice of Suspension/Revocation: Please notify Good Timber Ranch that their NWP 27 authorization is suspended and will be revoked, effective immediately, pending a formal hearing or opportunity to present their case, as per 33 CFR 330.5(c).
- 2. Issue a Cease and Desist Order: Require Good Timber Ranch to immediately cease all further activities authorized under NWP 27 and any other activities causing unauthorized discharges into Waters of the U.S. This cease and desist should also apply to their very large home construction plan as detailed below under "Other bad Actions by Good Timber."
- **3.** Mandate Comprehensive Remediation: Require Good Timber Ranch to develop and implement a comprehensive, USACE-approved plan for the full restoration and remediation of the <u>entire Little Warm Creek system and adjacent wetlands</u>. This plan must prioritize returning the affected areas to a natural, functioning condition, which means Good Timber must fix the habitat destruction, channelization, and sediment issues they have created. The Good Neighbors are unable to effectively remediate their own downstream properties if Good Timber continues to discharge <u>and</u> these loads of sediment simply continue to flow downstream. Good Timber must stabilize and fix the entire system that it damaged.

#### **Other Bad Actions By Good Timber**

This is not a one-off. Good Timber has consistently acted outside of the law, only stopping when an agency or local government requires it. The <u>Stop Work Order</u> (click to view) issued by Teton County last summer identifies multiple violations of the zoning and building code <u>and</u> is still in effect. The entire Lake Washiki project was initiated without any water rights to fill it. Only after state agencies became alerted to the unpermitted earthwork at Good Timber did they apply to transfer water rights, seeking legitimacy after-the-fact.<sup>6</sup>

USACE should be aware that Good Neighbors timely protested this water rights transfer, and trial was originally set for this July. However, Good Timber has barely communicated with the Good Neighbors regarding the transfer proceedings, has repeatedly asked for trial extensions, and has utterly failed to comply with discovery that was <u>due</u> April 11, 2025. By contrast, the Good Neighbors timely submitted their discovery four weeks earlier on March 13, 2024.<sup>7</sup> Good Timber's counsel has not responded to any scheduling questions since May 12, 2025. Our October 27-31, 2025 trial date will likely have to be moved back again <u>due to their inaction</u>.

While Good Timber has stalled out on transferring the water rights necessary to fill Lake Washiki, they have now applied for a building permit and variance from the wetland setback in order to construct a <u>massive</u> 9,187 sf house with a 1,972 sf paved patio <u>directly in the impacted</u> <u>area.</u><sup>8</sup> The mega-mansion would be sandwiched between Big Spring and Alder Spring Creeks, sitting on an artificial 10-foot tall earthen bench, proposed to be held back with straw wattles. A <u>well driller's report</u> (click to view) from 2022 shows that an open cavern was found at 30-40 feet below ground, approximately 100 feet from this proposed large homesite.

Good Timber is <u>already discharging sediment</u> without any active construction activities onsite; **these discharges will surely grow worse if large-scale home construction is allowed to proceed in the impacted area**. USACE should take action to ensure there are no Section 402 discharges from this giant house and berm. Ideally, no construction should be permitted at all given the stunningly non-compliant, unstable condition of the property.<sup>9</sup> Please review Good Timber's <u>grading and excavation plans</u> which show significant impacts to wetland and creeks. To better understand the true impacts to surface waters, **USACE should evaluate Good Timber's construction plans in light of the current "true" condition of the property.** 

#### Conclusion

We understand that revoking a permit is a serious action. However, the magnitude of persistent noncompliance and documented damage at Good Timber Ranch (and downstream)

<sup>&</sup>lt;sup>6</sup> See, Idaho Dept. of Water Resources Transfer No. 89232 submitted by Good Timber Ranch on August 2, 2024.

<sup>&</sup>lt;sup>7</sup> See, pleadings for Transfer No. 89232 which can be accessed <u>here</u> on the Idaho Department of Water Resources Water Rights Search portal, under the water right No 22-02279

<sup>&</sup>lt;sup>8</sup> The Godfrey Residence <u>architectural plans</u> (click to view) show 3,503 sf of non-habitable space proposed, which appears to be an effort to disguise two more bedrooms, a bathroom, and gathering space with wet bar.

<sup>&</sup>lt;sup>9</sup> The hearing before the Teton County Planning & Zoning Commission is set for **June 10, 2025.** The Godfrey Residence <u>grading and excavation plans</u> (click link to view) show **significant impacts to creeks and wetlands**. The variance <u>narrative</u> (click to view) for the Godfrey Residence admits to encroaching on Big Spring Creek.

#### TRENTADUE LAW OFFICE PLLC | PO BOX 1443 DRIGGS ID 83422 | 208-557-4846

demonstrate that their activities are irreconcilable with the terms of NWP 27 and the CWA's mandate. Allowing Good Timber to continue under the guise of an NWP authorization would set a dangerous precedent that by simply acquiring a permit, a landowner can go rogue and degrade an entire 303(d) listed water system.

We respectfully request a formal response outlining the specific actions the USACE will initiate here. We are available to provide additional information and evidence to support your investigation. The Good Neighbors have also filed a 60- day notice under the Section 505(b) of the CWA, 33 U.S.C. § 1365(b) to initiate a suit for violation of the Act. It is attached.

Respectfully,

the pla

Anna R. Trentadue Esq. Trentadue Law Office *Attorney for the Good Neighbors* 

ATTACHMENTS:

A- Good Timber Ranch LLC Site Condition Assessment by BIOTA Research & Consulting Inc. dated May 21, 2025.

B - Notice of intent to sue Good Timber Ranch LLC, Nathan Godfrey, Jared Smith, and the Jared Smith Revocable Living Trust over violations of the Clean Water Act and their Nationwide Permit at Good Timber Ranch in Victor, Idaho.

#### CC Via Email:

James Werntz, Director Idaho Operations Environmental Protection Agency 950 W Bannock Suite 900 Boise, ID 83702 Werntz.james@epamail.epa.gov

Troy Saffle, Regional Administrator Idaho Dept. of Environmental Quality Idaho Falls Regional Office 900 N. Skyline Drive Suite B Idaho Falls, Idaho 83402 Troy.Saffle@deg.idaho.gov

James Cefalo, Regional Manager Idaho Dept. of Water Resources Eastern Region Office 900 North Skyline Drive, Suite A Idaho Falls, Idaho 83402-1718 James.Cefalo@idwr.idaho.gov Joshua Chase Teton County Planning & Zoning Administrator 150 Courthouse Drive, Suite 107 Driggs, Idaho 83422 pz@tetoncountyidaho.gov

Wendy Koch Teton County Building Official 150 Courthouse Drive, Suite 107 Driggs, Idaho 83422 wkoch@tetoncountyidaho.gov





P. O. Box 8578, 140 E. Broadway, Suite 23, Jackson, Wyoming 83002; voice: (307) 733-4216

To: Anna Trentadue

Date: May 21, 2025

#### Re: Good Timber Ranch LLC Site Condition Assessment

The content of this memo is intended to summarize the findings of multidisciplinary assessment efforts completed to evaluate recent development activities on the Good Timber Ranch LLC property in Teton County, Idaho.

#### **REMOTE SENSING ANALYSES**

Aerial imagery from multiple sources (Google imagery from July 2024 and drone imagery from May 2, 2025) was obtained and georeferenced for use in a Geographic Information System (GIS) platform. The area of site disturbance associated with recent vegetation removal, grading, stockpiling of materials was delineated (attached Sheets 1 and 2). The estimated locations of discrete springs, the alignments of spring creek stream channels, and the extents of pre-disturbance wetlands were also mapped in the GIS. The analysis indicates that recent grading activities impacted a total area of about 13.9 acres (attached Sheet 3). The analysis also indicates that recent grading activities impacted approximately 1.8 acres of wetlands, and recent grading, dewatering, and channel realignment activities have impacted approximately 2,310 ft of spring creek stream channels.

The applicant's Joint Application for Permit supporting materials suggest that the project proposed to permanently impact 0.81 acres of wetlands, of which 0.28 acres would be emergent wetlands and 0.53 acres would be scrub-shrub wetlands. The impacts document during the remote sensing analysis indicate approximately 1.8 acres of wetland impacts. The observed impacts are mostly associated with scraping, pushing material, bulldozing, and removing native soil and vegetation in these areas. These types of impacts are severe and are not expected to be able to be readily reclaimed.

The applicant's Joint Application for Permits supporting materials also suggest that the project proposed to permanently impact 1,904 ft of spring creek stream channels. The impacts documented during the remote sensing analysis indicate that approximately 2,310 ft of spring creek stream channels have been impacted, through a combination of bulldozing, pushing material, scraping, and diverting instream flows. (Note that the diversion of instream flows appears to have occurred only after initial construction activities were halted due to regulatory agency involvement.) The impacts to stream channels appear to be at or above the permitted impacts to Waters of the United States, which are regulated by the U.S. Army Corps under Section 404 of the Clean Waters Act. These impacts to stream channels have not been permitted through the Idaho Department of Water Resources in conjunction with the Idaho Stream Channel Protection Act.

#### **IMPACTED WETLANDS**

The wetlands that were impacted on the subject property were comprised of emergent, scrub-shrub and forested wetlands. The wetlands received hydrologic support from discrete springs and spring-fed creek channels. Based on Biota's experience with similar wetlands in the vicinity, the emergent wetlands appear to have been dominated by various native herbaceous species including Nebraska sedge (*Carex nebrascensis*), water sedge (*Carex aquatilis*), dagger-leaf rush (*Juncus ensifolius*), fowl mannagrass (*Glyceria striata*), fringed willow herb (*Epilobium ciliatum*), and yellow monkey flower (*Mimulus guttatus*). The scrub-shrub wetlands appear to have been dominated by willows (*Salix spp.*), red osier dogwood (*Cornus sericea*), wild black currant (*Ribes americanum*), and mountain alder (*Alnus incana*) in the shrub layer, with an understory similar to that of the emergent wetlands. The forested wetlands appear to have included a quaking aspen overstory with a shrub and understory composition similar to that of the scrub-shrub wetlands.

The wetlands that existed on the subject property appear to have had a relatively high functional value, due to their landscape position, consistent hydrologic regime, and structurally complex vegetation communities. Spring-fed wetlands (or fens) are ecologically valuable and limited resources in Teton Valley. Fens are biodiversity hotspots that provide habitat for a diverse array of flora and fauna (including that are rare or endemic), perform many ecosystem services, and maintain perennial base flows for streams even during dry periods. An example of the pre-disturbance project area wetlands is depicted below (Figure 1).



Figure 1. Photographic example of pre-disturbance wetlands on the subject property.



The loss of functioning and diverse wetlands on the subject property, in addition to the dramatic alteration of the spring creek stream channel drainage pattern, have degraded aquatic resources in the headwaters of the Teton River drainage.

#### **CONSTRUCTION BEST MANAGEMENT PRACTICES**

Photographic documentation collected downstream of the Good Timber Ranch LLC property in the spring of 2025 characterize several aspects of both on-site and off-site ecological degradation and the continued lack of project area Best Management Practices (BMPs). These conditions include the apparent recent mobilization of fine sediments (silt) from the subject property to downstream surface water receiving areas, as evidenced by the presence of recently formed (unvegetated and loose) silt deposits in eddy and backwater areas of spring creek stream channels on downstream properties. A downstream on-channel water feature has widespread evidence of the recent mobilization and deposition of fine sediments, including a plume of silt that has recently formed where the spring creek enters the pond. The fine sediments that have been mobilized into spring creeks and water features downstream of the subject property are not contained or stabilized. These fine sediments will continue to be mobilization and dispersal of the fine sediments released from the Good Timber Ranch LLC property represent an ongoing and continuing discharge of fine sediments into Waters of the United States that is, and will continue to, adversely impact aquatic resources downstream of the subject property.

The noted inadequate BMPs include the reliance on dilapidated straw wattles that were installed to slow surface flows as they leave the subject property. Many of those straw wattles were in place over the course of the winter and are now disintegrated and inadequate. In addition, large expanses of disturbed ground (bare soils) and numerous large stockpiles of loose dirt located on the subject property lack any silt fence or other containment devices to prevent the additional mobilization of fine sediments into local waterways. Photographic documentation of these observations is presented below.





Figure 2. Photographic example of silt deposit in a backwater within downstream receiving spring creek stream channel, April 23, 2025.



Figure 3. Photographic example of silt deposit in an eddy within downstream receiving spring creek stream channel, April 23, 2025.

inc B i o t a



Figure 4. Photographic example of a deposited silt plume that has recently formed at the inlet to an on-channel water feature downstream of the subject property, May 20, 2025.



Figure 5. Photographic example of dilapidated straw wattles and the wooden stakes that used to hold them in place, at a location where surface waters exit the subject property within an altered spring creek stream channel, April 23, 2025.





Figure 6. Photographic example of dilapidated straw wattles and the wooden stakes that used to hold them in place, at a location where surface waters exit the subject property within an altered spring creek stream channel, April 23, 2025.



Figure 7. Photographic example of dilapidated straw wattles at a location where surface waters exit the subject property within an altered spring creek stream channel, April 23, 2025.





Figure 8. Photographic example of large expanse of disturbed ground and numerous stockpiles of loose soil that lack silt fence or other devices to prevent additional mobilization of fines from the subject property, April 23, 2025. The photograph also depicts some of the stockpiles of the woody vegetation that was removed from riparian and wetland areas.



Figure 9. Photographic example of a loose soil stockpile that lacks silt fence or other devices to prevent additional mobilization of fines from the subject property, April 23, 2025. Note the photograph does depict about 20 ft of straw wattles installed at the base of the soil stockpile, but that wattle does not encircle the stockpile nor does it extend along the entire down-gradient extents of the stockpile.





Figure 10. Photographic example of loose soil stockpiles in the background that lack silt fence or other devices to prevent additional mobilization of fines from the subject property, April 23, 2025.



Figure 11. Photographic example of loose soil stockpiles and extensive area of vegetation removal and site disturbance that lack silt fence or other devices to prevent additional mobilization of fines from the subject property, April 23, 2025.

#### TURBIDITY

The presence of increased turbidity is a clear indication that fine sediment has been mobilized within surface waters, and that downstream aquatic ecological integrity has been degraded. The Department of Environmental Quality (DEQ) and Teton County staff visited the subject property on July 26, 2024 while site disturbance was ongoing. A report generated by the DEQ in conjunction with that site visit and downstream field assessment documented increased surface water turbidity of up to as much as 80 Nephelometric Turbidity Units (NTUs). Idaho Water Quality Standards for permitted and authorized aquatic resource projects allow an increase in background turbidity of up to 25 NTUs for not more than 10 consecutive days. The Water Quality Standards also prohibit the increase of background turbidity by more than 50 NTUs at any time. A photograph depicting downstream significantly increased turbidity (of approximately 80 NTUs) on July 26, 2024 is presented below (Figure 12, courtesy of DEQ).





Figure 12. Photographic documentation of increased turbidity (of approximately 80 NTUs) on downstream property on July 26, 2024 (courtesy of DEQ).

Turbidity monitoring of surface water downstream of the subject property was performed on multiple occasions in the spring of 2025 using grab samples and a portable turbidity meter. Instantaneous turbidity readings were recorded during each analysis event. The complex network of spring creek stream channels that conveyed surface waters from the subject property to downstream receiving waters prior to site disturbance originated at approximately 20 distinct springs, all of which were located on the subject property. It was not possible to access these springs due to land ownership, so it was not possible to collect background turbidity measurements (or turbidity readings upstream of the expansive disturbance area was sampled and used as a surrogate for background turbidity levels because it is in a similar landscape position and setting as the more easterly springs that discharge into the expansive disturbed areas and it was not visibly disturbed or impacted by the recent site alterations.

Monitoring documented turbidity downstream of the disturbance area that was consistently elevated over surrogate background levels. Turbidity increases during the 6 sample events ranged from 1.7 NTUs (minimum) to 9.7 NTUs (maximum) with an average increase of 4.2 NTUs. Turbidity monitoring data are depicted below in Table 1.



Date / Time	Turbidity Reading, NTU	Sample Location	Net NTU Difference	Notes
4/24/2025 2:30	4.1	West Fork, above confluence with combined spring creek stream channel		Surrogate for background levels
4/24/2025 2:30	5.8	Combined spring Creek stream channel downstream of Good Timber Ranch LLC property	1.7	Downstream of disturbance area
5/1/2025 12:00	5.7	West Fork, above confluence with combined spring creek stream channel		Surrogate for background levels
5/1/2025 12:00	9.9	Combined spring Creek stream channel downstream of Good Timber Ranch LLC property	4.2	Downstream of disturbance area
5/6/2025 12:30	15.6	West Fork, above confluence with combined spring creek stream channel		Surrogate for background levels
5/6/2025 12:30	19.1	Combined spring Creek stream channel downstream of Good Timber Ranch LLC property	3.5	Downstream of disturbance area
5/7/2025 3:45	4.6	West Fork, above confluence with combined spring creek stream channel		Surrogate for background levels
5/7/2025 3:45	6.5	Combined spring Creek stream channel downstream of Good Timber Ranch LLC property	1.9	Downstream of disturbance area
5/18/2025 4:45	4.6	West Fork, above confluence with combined spring creek stream channel		Surrogate for background levels
5/18/2025 4:45	8.8	Combined spring Creek stream channel downstream of Good Timber Ranch LLC property	4.2	Downstream of disturbance area
5/20/2025 1:45	8.2	West Fork, above confluence with combined spring creek stream channel		Surrogate for background levels
5/20/2025 1:45	17.9	Combined spring Creek stream channel downstream of Good Timber Ranch LLC property	9.7	Downstream of disturbance area

Table 1. Turbidity monitoring results from sample events in the spring of 2025.

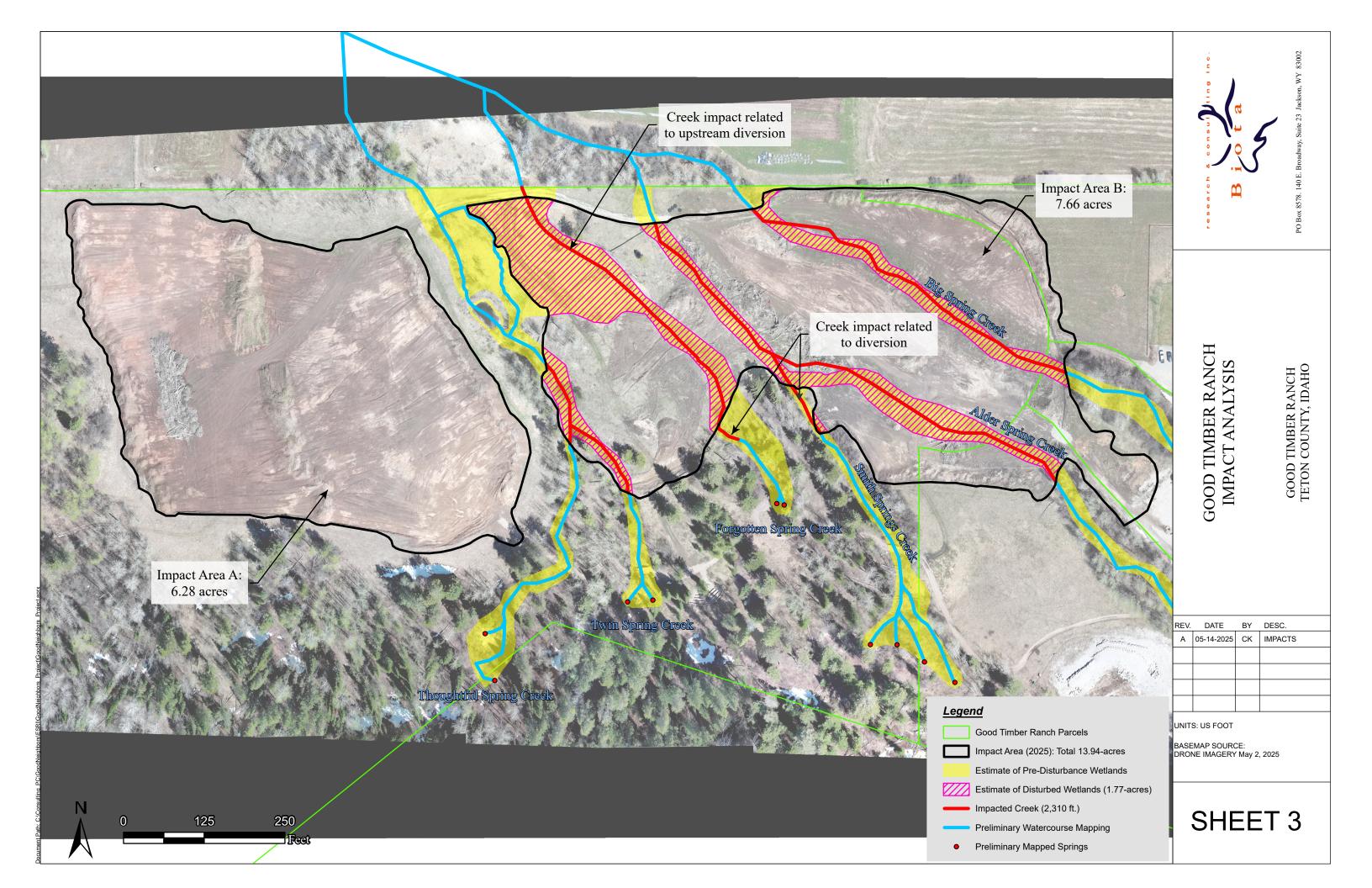
#### SUMMARY

Remote sensing analysis indicates that recent earthwork activities on the Good Timber Ranch LLC property have disturbed approximately 13.9 acres of ground that previously supported functional wetlands and spring creek stream channels. Approximately 1.8 acres of wetlands were impacted, and approximately 2,310 ft of spring creek stream channel were impacted. The loss of functional emergent, scrub-shrub, and forested wetlands, and the alteration of the spring creek stream channel network, have impacted aquatic resources in the headwaters of the Teton River. Field observations indicate that fine sediments have been mobilized from the subject property and have impacted downstream aquatic resources. Field observations also indicate that BMPs are either dilapidated, inadequate, and absent on the subject property. Field monitoring of surface water turbidity suggests that downstream impacts may still be occurring even though active construction activities appear to be on hold on the subject property.









### ABBREVIATIONS

ADJ.

A.F.F.

AGN ARCH

BBH

BRD

BLK'G

ΒM

B.O.

CHNL

CLG

COL

CONC

CMU

CONT.

CJ

DBL

DIM

DTL

DN

ELEC

F.F.

FIN

FLR

FDN

FTG

G.C.

GLB

G.L.

HDR

HORIZ

HTR

IBC

IRC INSUL

INT

JST

MAX

MIN.

MTL

N.I.C. OC

OH

ΡL PLUMBG

+/-PLYWD

P.T.

RAD

RM

SDL SHT

SIM

STOR.

SUSP

TBD

T¢G

T.O.

TYP

VERT

WΗ

WP

WS

WP GYP.

U.O.N.

TEMP

THRSHLD

STRUCT

REINF

SCHED

SHT MTL

MECH

MANUF.

GYP. BD.

FRM'G

EL ELEV

DWGS

ADJACENT ABOVE FINISHED FLOOR ARCHITECTURE GENERAL NOTES ARCHITECT BASEBOARD HEATER BOARD BLOCKING BEAM BOTTOM OF CHANNEL CEILING CENTERLINE COLUMN CONCRETE CONCRETE MASONRY UNIT CONTINUOUS CONTROL JOINT DOUBLE DIMENSION(S) DRAWINGS DETAIL DOWN ELEVATION HEIGHT ELEVATION DRAWING ELECTRIC FINISHED FLOOR FINISH FLOOR FOUNDATION FRAMING FOOTING GENERAL CONTRACTOR GLUE LAMINATED BEAM GLUE LAMINATED MEMBER GYPSUM WALL BOARD HEADER HORIZONTAL HEATER INTERNATIONAL BUILDING CODE INTERNATIONAL RESIDENTIAL CODE INSULATION INTERIOR JOIST MANUFACTURE('S MAXIMUM MECHANICAL MINIMUM METAL NOT IN CONTRACT ON CENTER OVERHANG PLATE PLUMBING PLUS OR MINUS PLYWOOD PRESSURE TREATED RADIUS REINFORCEMENT (ING) ROOM SCHEDULE SIMULATED DIVIDED LITE SHEET SHEET METAL SIMILAR STEEL STORAGE STRUCTURAL SUSPENDED TO BE DETERMINED TEMPERED TONGUE AND GROOVE THRESHOLD TOP OF . TYPICAL VERTICAL WATER HEATER WEATHERPROOF WATERPROOF GYPSUM BD. WATER SOFTENER UNLESS OTHERWISE NOTED

### KEY LEGEND

AIOI | <u>Room</u> <u>name</u> 🗲  $\langle A \rangle$ 100  $\triangle$  $\bullet$  $\langle A \rangle$ Α APPLIANCE (?) EXTERIOR MATERIAL

### - BUILDING SECTION NUMBER SHEET NUMBER DETAIL NUMBER SHEET NUMBER - INTERIOR ELEV. NUMBER SHEET NUMBER NORTH ARROW KEYNOTE - ROOM NAME ROOM NUMBER WINDOW KEY DOOR KEY REVISIONS ELEVATION PLUMBING

# Attachment F



## **DRAWING INDEX**

A001	TITLE SHEET
A002	GENERAL NOTES
A003	SITE PLAN (EXTERIOR LIGHTING)
C3.0	PROPOSED SITE OVERVIEW
C3.1	PROPOSED OVERVIEW
C3.2	PROPOSED SITE
C3.3	PROPOSED RESIDENCE GRADING
C3.4	PROPOSED UTILITIES
C3.5	PLAN & PROFILE
C4.0	DETAILS
S1.0	GENERAL STRUCTURAL NOTES
S1.1	SPECIAL INSPECTIONS
S1.2	TYPICAL DETAILS
A101 A102 A103 A104 A105 A106 A107 A108 A107 A108 A109 A201 A202 A203 A204 A205 A301 A302 A301 A302 A303 A304 A401 A402 A403 A501	FIRST FLOOR PLAN - OVERALL FIRST FLOOR PLAN - ENLARGED LIVING FIRST FLOOR PLAN - ENLARGED GARAGE SECOND FLOOR PLAN - OVERALL SECOND FLOOR PLAN - ENLARGED LIVING SECOND FLOOR PLAN - ENLARGED STORAGE ROOF PLAN FIRST FLOOR REFLECTED CEILING PLAN SECOND FLOOR REFLECTED CEILING PLAN BUILDING ELEVATIONS BUILDING ELEVATIONS BUILDING ELEVATIONS BUILDING ELEVATIONS BUILDING SECTIONS BUILDING SECTIONS
A502	DETAILS
A503	TRUSS SPECIFICATIONS
C1.0	TITLE VICINITY MAP & SHEET INDEX
C1.1	LEGEND & GENERAL NOTES
C2.0	EXISTING CONDITIONS OVERVIEW

# PROPOSED RESIDENCE THE GOLD REDEPIDENCE FOR VICTOR, ID

- S1.3 TYPICAL DETAILS
- FOUNDATION PLAN S2.0 S2.1 FIRST FLOOR FRAMING PLAN
- SECOND FLOOR FRAMING PLAN S2.2
- S2.3 ROOF FRAMING PLAN
- S3.0 FOUNDATION DETAILS
- S3.1 FOUNDATION DETAILS S4.0
- FLOOR FRAMING DETAILS ROOF FRAMING DETAILS S5.0
- STEEL TRUSS ELEVATION AND DETAILS S6.0

# CONSULTANTS

### ARCHITECT:

STILLWATER DESIGN GROUP (208) 354-5335 45 E. LITTLE AVE P.O. BOX 15 DRIGGS, ID 83422

### **STRUCTURAL ENGINEER:**

RIDGE STRUCTURAL ENINGEERING, LLC (208) 227-8404 1152 BOND AVE SUITE B REXBURG, ID 83440

### **CIVIL ENGINEER:**

JORGENSEN ENGINEERS (307)733-5150 1315 S HWY 89 SUITE 201 JACKSON, WY 83001

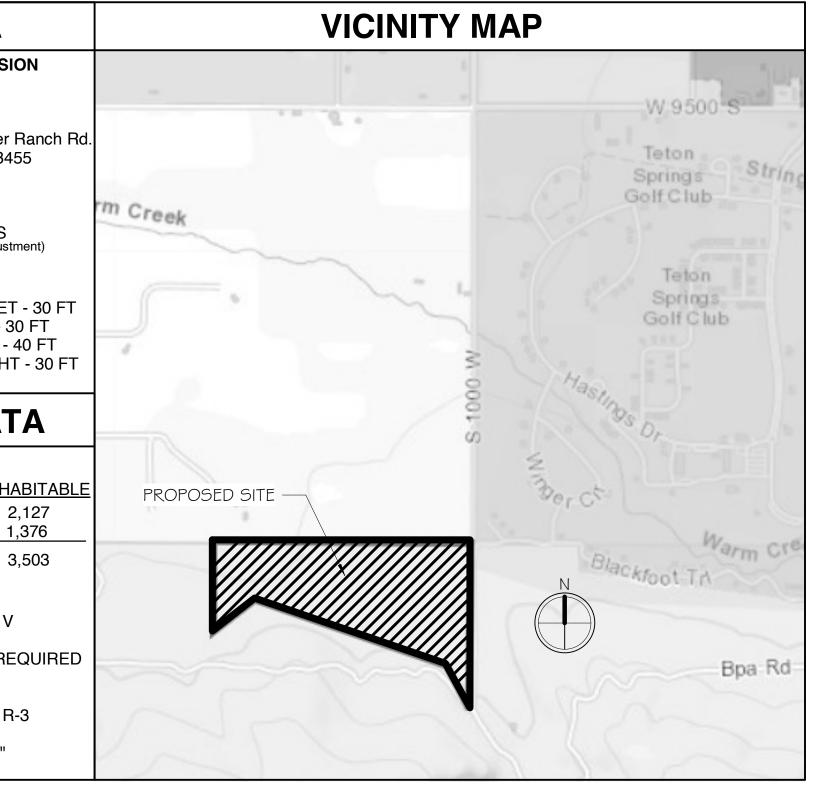
# SITE DATA

GOOD TIMBER RANCH SUBDIVISION SEC 22 T3N E45E PARCEL# RP03N45E227200				
STREET ADDRESS: Good Timber Rar Victor, ID 83455				
ZONING:	FH-10			
SITE AREA:	5.37 ACRES (before plat adjustment)			
SITE TOPOGRAPHY: 0-10%				
SETBACK REQUIREMENTS:	MIN. STREET - 30 MIN. SIDE - 30 FT MIN. REAR - 40 F MAX. HEIGHT - 30			

# **BUILDING DATA**

BUILDING SQ. FT:					
HABITABLE	NON-HA				
3,373 2.311	2				
5,684 1,972	3				
BUILDING TYPE: TYPE V					
SPRINKLERED:					
BUILDING OCCUPANCY TYPE:					
HEIGHT TO RIDGE:					
	HABITABLE 3,373 2,311 5,684 1,972 PE: D: CUPANCY				

ARCHITECTURAL DRAWINGS PREPARED TO ADHERE TO INTERNATIONAL RESIDENTIAL CODE (IRC) 2018, DUE TO SNOW LOAD STRUCTURAL DRAWINGS PREPARED TO ADHERE TO INTERNATIONAL BUILDING CODE (IBC) 2018





## **GENERAL NOTES - RESIDENTIAL:**

#### **Division 01- General Requirements**

- Stillwater Design Group (SDG) does not represent that these pla connection therewith are suitable, or modified, for any site other were specifically prepared. SDG disclaims responsibility for the they are used in whole or in part at any other site. General Cont city or county approved construction documents are utilized for c
- The Architectural Construction drawings and general notes delin locations, dimensions, types of materials and general methods of They are not intended to specify particular products or other met where specifically noted. Stillwater Design Group (SDG) assum selection, fabrication or installation of any specific material, produ observation visits by SDG representatives shall not be construed of construction.
- The presence of the Architect on the jobsite does not imply appr General Contractor must call specific items to the attention of the obtain the Architect's approval.
- The General Contractor must determine that all equipment speci 4. doorways, corridors and openings before equipment is purchase installation sequence to avoid conflicts.
- Contractor will work within the guidelines and standards set by C the state in which the project is constructed.
- General Contractor shall inform Architect of any and all owner re directives following Owner/Contractor conversations. General C with Owner requested changes or directives without prior review
- Given dimensions take precedence over scale. Large scale deta scale details. Contractor shall take extra caution to coordinate of drawings with architectural drawings prior to construction - verify Architect.
- Contractor shall store all building materials in accordance with N 8. recommendations.
- The Contractor is responsible for executing work in conformance the International Residential Code (IRC), latest additions of the I codes and ordinances applicable.
- 10. The General Contractor is responsible for verifying all dimension etc. within the scope of the project, and report any discrepancies continuing work. The General Contractor must notify the Archite conditions which require deviation from constructing the work as documents. Or if more details/information is needed please con Engineer.
- Each trade is responsible for inspection of service and to advise 11. Architect, and Owner as to current condition, possible problems, respect to their trades.
- 12. Temporary light and power supply for all construction shall be made site
- 13. Contractor shall coordinate all required inspections by county/ c Departments and any other governing authorities having jurisdic
- 14. Unless otherwise noted, all plan dimensions are taken to the edg centerline of columns.
- 15. The General Contractor must obtain all required building permits The General Contractor must comply with the rules of the subdiv 16. the direction of the Owners for construction procedures, use of
- 17. For construction during winter conditions, contractor shall have from all exposed floor & roof sheathing to prevent moisture dam exposed materials, removal shall occur daily.

#### Division 02- Sitework

project and trash removal.

- The General Contractor must inspect the site before beginning 1. inconsistencies between the contract documents and existing co
- All grading activities shall be constructed to the lines and grades 2. by the project surveyor. Any disturbed soil is to be finish graded uniform surface. All finish grade to be free of rocks and solid del diameter and consisting of native soil characteristics. No twigs, material shall be included in the final grade being prepared for fir
- Contractor shall provide all temporary utilities, including electricit construction and temporary septic facilities, which shall be maint duration of construction.
- Install utilities in accordance with utility company requirements. 4. responsible for coordination, tapping into, installation and verifying site utilities including power, water, sanitary, cable, phone, etc. coordinate all utility fees and services with the owner.
- 5 The Contractor and subcontractors shall make every reasonable disturbing the land and save as many existing trees and vegetat
- The General Contractor must verify all existing site dimensions a 6.
- All excess excavated material to be trucked off site with the exce backfill material or potential landscaping material. Contractor to amount of site damage. Stockpile location to be determined by ( shall incorporate all erosion control methods and techniques as agencies.
- Caution: Underground utility locations are not guaranteed, nor is 8. all existing utilities (whether functional or abandoned) within the the drawings. The contractor shall determine the exact location before starting work. The contractor shall be responsible for all d contractor's work.
  - Contractor to coordinate and supervise trenching and installation to and from building. General Contractor's responsible for trench filling of each utility as applicable to project. Such coordination s Contractor's reasonable efforts to combine as many different util as practicalities and good practice permit.
- All Construction debris is to be stockpiled neatly on site until disp at the county landfill or recycling facility only. No debris is to be collection facilities.
- Final building staking and all required surveying to be performed contractor's expense.
- Contractor to notify Architect of any problems with existing soil c encountered during the construction of this project (primarily dur
- 10. Contractor shall restore all existing landscaping which is damage 11. All soil materials shall be compacted in 6" to 8" lifts, unless other
- settling of finish grade, walks, decks, drives, etc. 12. Removal of existing trees and bushes on site, and any other org purposes of construction is the contractor's responsibility. Contr
- approval before removing trees, bushes or any other vegetation. Contractor to provide finish grading around perimeter of building 13.
- approximately 20 feet (not to extend beyond building envelope s limit line). Finish grade to be a raked surface contoured to blend undisturbed grade where they meet. Minimum slope away from

Division 02- Sitework (continued)

	Divis	sion 02- Sitework (continued)	Divisio
olans or specifications in er than the one for which they	14.	All excavated fill and demolition debris is to be stockpiled in the areas designated on the site plan.	5.
nese plans or specifications if ontractor shall verify that only r construction purposes.	15.	Excavated topsoil to be restrained and used as final ground cover for all finish grading and utility trenches, which shall be uniformly and thoroughly covered. Topsoil shall be defined	6. 7.
lineate and describe only s of assembling or fastening.		as minimum 4" deep and free of debris, waste, frozen material, vegetation or other deleterious matter and containing not more than 10% sand, gravel or rocks - none of which may be larger than 3/4" in any direction.	
nethods of application, except imes no responsibility for the	16.	Provide cleaning and grubbing of existing vegetation, coordinate with Owner.	
oduct or method. Field led as inspection or approval	17.	Provide erosion control fencing and/or bales to protect adjacent vegetation and waterways.	8.
The second se	18.	Provide compacting of existing soils and engineered fill to 95%, see structural drawings.	9.
proval of the work. The the Architect if he wishes to	19.	Provide below slab gravel and bedding materials as indicated on structural drawings.	
ecified will fit through existing	20.	Coordinate existing site conditions with Owner's representative.	I
sed and/or schedules the	21.	Coordinate locations and service entrance for all utilities with Owner's representative.	
OSHA and be licensed with	22.	Coordinate construction limits, staging and parking areas with Owner's representative.	10.
	<u>Divis</u>	sion 03- Concrete	
required changes or Contractor shall not proceed w from the Architect.	1.	Comply with I.R.C. 2018 Chapter 4 for Foundations (verify with structural drawings).	<u>Divisio</u>
etails govern over small dimensions of structural	2.	Provide control joints at all exterior concrete slabs as follows: Walks - 6'-0" o.c. maximum, Patios- 8'-0"x12'-0" maximum uninterrupted slab, Drives- 8'-0"x12'-0" maximum uninterrupted slab.	1.
ify discrepancies with	3.	Polyethylene Class A vapor retarder 6-mil-thick under all Basement/ living space slabs in compliance with I.R.C. 2018 Section R405.2.2.	
Manufacturer's	4.	All concrete to slope away from building 1/8" per foot.	
nce with the latest editions of	Divis	sion 04- Masonry	2.
NEC, NFPA and any local		Architectural veneer and wall coverings are to be attached to the supporting wall system per opuirements of the I.R.C. 2018 Section 703.8 (verify with structural drawings).	Ζ.
ons, materials, schedules, ies to the Architect prior to		sion 05- Metals	3.
itect immediately of as indicated in the contract	<u>Divis</u> 1.	Provide structural steel connectors, embeds and miscellaneous steel fabrications as	
ontact the Architect or		indicated on structural drawings.	4.
se the General Contractor,	2.	Comply with I.R.C. 2018 Chapter 4 (verify with structural drawings) for reinforced concrete.	5.
ns, and potential duties with	3.	Reinforcing steel: Refer to structural drawings for size and location.	
made available at the project	4. 5.	Steel: Provide new material only Note: See structural drawings for all structural components, connections, reinforcement,	6.
city Building and Fire	J.	typ.	
liction.	Divis	sion 06- Woods and Plastics	7.
dge of rough framing and	1.	Framing: Construct all framing, plumb, true and rigid, ready to receive finish materials.	
its and agency approvals.	2.	Dimensional lumber shall comply with I.R.C. 2018 Chapter 6 (verify with structural drawings). All lumber shall bear the stamp of an approved grading agency.	
division, the county / city and f premises, access to the	3.	Unexposed treated lumber/wood shall be borate treated. Exposed treated lumber/wood shall be ACQ treated lumber.	
e all snow & ice removed	4.	Fasteners in contact w/ ACQ treated lumber/wood and borate treated shall be hot-dipped galvanized fasteners.	8.
mage and/or deterioration to	5.	Fireblocking: In combustible construction, fireblocking shall be provided to cut off both	Divisio
		vertical and horizontal concealed draft openings and to form an effective fire barrier between stories, and between a top story and the roof space. (I.R.C. 2018 Section R302.11)	1.
y work and identify conflicts or conditions.		Fireblocking shall be provided in wood-framed construction in the following locations:	
es as staked on the ground ed and raked to achieve a debris greater than 3/4"		<ul> <li>A. In concealed spaces of stud walls and partitions, including furred spaces and parallel rows of studs or staggered studs, as follows:</li> <li>a. Vertically at the ceiling and floor levels.</li> <li>b. Horizontally at intervals not exceeding 10 feet.</li> </ul>	:
s, sticks, or other non-soil final landscaping.	6.	Provide solid blocking at toilet paper holder, towel bar locations, and all other wall mounted	i
city necessary for intained on site for the	7.	fixtures and cabinetry. In addition, Contractor to provide in wall blocking as necessary for all casework, rails, accessories, drapes, etc.	2.
. General Contractor is ying location of all necessary	8.	Attic access rough-framing shall be not less than 22"x30" and shall be in the hallway or easily accessible location. 30" minimum unobstructed headroom in the attic space (I.R.C.	
. General Contractor to		2018 Section R807.1). Crawl Space Access 18"x24" (I.R.C. 2018 Section R408.4).	1
ole effort to minimize ation as possible.	9.	Field verify all dimensions prior to construction of interior finishes.	
s and conditions.	10.	Install a sufficient number of fastenings, of a size and type appropriate to the materials to be	:
cception of any necessary to provide location to limit y General Contractor and		joined, to provide rigid, secure joints and anchorage. The use of power actuated fastenings shall be in strict accordance with the manufacturer's recommendations and instructions, taking all safety precautions as recommended and/ or required by the governing official. See struct. drawings.	
s prescribed by governing	11.	All work shall have truly cut and closely fitted joints, firmly secured in place with nails,	<u>Divisio</u>
r is there any guarantee that e project area are shown on on of all underground utilities		screws or bolts, as indicated on the plans and drawings, and in accordance with required good practice. Cuts in framing materials to admit other materials shall be braced or blocked securely to restore the stiffness of the member.	1.
I damage resulting from	12.	Truss fabricator to provide shop dwgs. for review by Contractor, Architect, & Engineer prior to fabrication.	2.
ion of all utilities and services nching, installation, and back	13.	All exterior plumbing & structural walls to be 2x6 construction U.O.N Verify all other walls with Floor Plans.	Divisio
n shall include General utilities to common trenches	Divis	sion 07: Thermal and Moisture Protection	1. Resid
	<u>Divic</u> 1.	Attic & Crawl Space Ventilation Notes:	Divisio
isposal, which shall be done e disposed of in local waste		The total net free ventilation shall not be less than 1/150 of the area of the space ventilated except that the total area is permitted to be reduced to 1/300 provided at least 40 percent and not more than 50 percent of the required ventilating area is provided by ventilators	1. To be
ed by competent surveyor at	0	located in the upper portion of the space to be ventilated (I.R.C. 2018 Section R806.2).	<u>Divisio</u>
l conditions as may be uring excavation).	2.	Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of the roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain or snow (I.R.C. 2018 Section R806.1).	1.
aged due to construction.	3.	Attic ventilation shall comply with I.R.C. 2018 Section R806.1 and crawl space ventilation	
erwise noted, to prevent any		shall comply with I.R.C. 2018 Section R408.	<u>Divisio</u>
rganic material cleared for	4.	Provide spray insulation, rigid insulation and batt insulation as indicated on drawings.	1. No Re
ntractor shall get Owner's on.		A. Provide foam insulation at all windows and doors. B. Provide insulation at all recessed can fixtures to match insulation in roof	Divisio
ng for a distance of e setback line or construction		<ul> <li>C. Coordinate chimney caps and all roof penetrations with Contractor prior to</li> </ul>	1.
nd naturally with existing m building shall be 1/4" per		Construction.	2.

#### Division 07: Thermal and Moisture Protection (continued)

- Provide air infiltration barrier at exterior frame walls, "Tyvek, Typar or equal."
- Provide bituthene ice and water shield adhesive as required.
- Provide (2) coats brushed/rolled/sprayed on bituminous substance for adequate damproofing at crawlspace foundation, apply per manfacturer's specifications. Provide Sitedrain sheet 184 foundation drain installed per manufacturer's specifications (or Architect approved similar) over (2) coats brushed/rolled/sprayed on bituminous substance on basement foundation.
- Provide joint sealant and chinking where applicable.
- Sheet Metal Work:
- All flashing shall be bend formed or brake formed as required. All attachments Α. shall be made as to assure a weathertight and watertight junction. All roof mounted metal components, i.e. metal flashing and vents shall be painted to match color of adjacent finishes unless noted otherwise in construction
- documents Flashing shall be provided in valleys and around chimney.
- All Flashing installation shall comply with SMACNA Standards. D.
- Provide metal flashing and sheet metal gutters in compliance with I.R.C. 2018 Section R905.2.8

#### on 8: Doors, Windows and Glass

- Basements, habitable attics and every sleeping room shall have at least one operable emergency escape and rescue opening (I.R.C. 2018 Section R310.1). Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44" measured from the finished floor to the bottom of the clear opening (I.R.C. 2018 Section R310.2.2).
- The minimum net clear opening height shall be 24" (I.R.C. 2018 Section R310.2.1). The minimum net clear opening width shall be 20" (I.R.C. 2018 Section R310.2.1).
- All emergency escape and rescue openings shall have a minimum clear opening of 5.7 Sq.
- Ft. Exception: Grade floor openings shall have a minimum net clear opening of 5 Sq. Ft. (I.R.C. 2018 Section R310.2.1).
- All habitable rooms shall be provided with aggregate glazing area of no less than 8% of the floor area of such rooms (I.R.C. 2018 Section R303.1).
- Windows with bottom edge less than 18" above the floor to be of tempered glass (I.R.C. 2018 Section R308.4.3).
- Exterior doors with hinge pins exposed on the outside shall use hinges with non-removable pins or pin standard hinges to prevent removal of the door from exterior by removal of the hinge pins.
- Openings between Garage and residence shall be equipped with solid wood doors not less than 1 3/8" in thickness, solid or honeycomb core steel doors not less than 1 3/8" thick, or 20-minute fire-rated doors, equipped with a self-closing or automatic-closing device (I.R.C. 2018 Section R302.5.1).

#### Glass and Glazing:

All openable windows shall be of a type operable from the inside without the use of a key or special knowledge for its operation.

- Where the glazing occurs at shower doors and at enclosures where glazing occurs
- All window and door R.O.'s to be framed from supplier's cut sheets, and verified in field by
- Contractor.

#### ion 9: Finishes

General Procedures

Painting shall be performed by experienced, competent journeyman painter(s) in accordance with the best standards of practice in the trade. When complete the painting shall represent a first class workmanlike appearance.

Preparations of surfaces: Wood: Sandpaper to smooth and even surface and remove all dust. After priming or stain coat has been applied thoroughly, fill all nail holes and other imperfections with spackle, tinted with primer or stain to match wood colors.

Gypsum Board Substrate:

Water-resistant gypsum backer board shall not be permitted on ceiling where framing spacing does exceed 12" o.c. for 1/2" thick & 16" o.c. for 5/8" thick (I.R.C. 2018 Section R702.3.7).

Enclosed accessible space under stairs shall have walls under surface and any soffits on the enclosed side protected with minimum 5/8" Type 'X' gypsum board, or noncombustible concrete walls and soffit.

- Gypsum Board:
- 5/8" Type 'X' gypsum board at walls and ceilings, typical.

Method and workmanship shall comply with the direction for "Single Layer System" contained in the United States Gypsum Company's "Handbook of Gypsum Drywall Construction" latest edition.

- ion 10: Specialties
- Shower compartments shall have at least 900 sq. in. of floor area and be sufficient size to inscribe a 30" circle. Hinged door shall open outward (I.R.C. 2018 Section P2708.1).
- Bathtubs, shower floors and walls above bathtubs (with installed shower heads in shower compartments) shall be finished with a nonabsorbent surface, such wall surfaces shall extend to a height of not less than 6'-0" above the floor (I.R.C. 2018 Section R307.2).

#### ion 11: Equipment

idential Appliances (to be determined by Owner).

- ion 12: Furnishings
- be determined by Owner.

#### ion 13: Special Construction

- Intrusion detection: Smoke detector wiring shall be permanently wired and interconnected with a battery powered back-up without a disconnecting switch other than those required for overcurrent protection.
- Refer to I.R.C. 2018 Section R314 and R315 for additional requirements.

#### ion 14: Conveying Systems

Requirements

ion 15: Mechanical

- All systems shall be designed within the respective codes. Consultation with Engineers respective to the appropriate trades is encouraged.
- Vent dryer to outside with 4" metal ducting, termination cap. Maximum length shall not exceed 35 feet from dryer to wall or roof termination. Length shall be reduced 2.5 feet of each 45 degree bend and 5 feet of each 90 degree bend (I.R.C. 2018 Section M1502)

The following glazing conditions shall require impact resistant glazing (tempered):

in bathrooms. Sliding glass doors (I.R.C. 2018 Section R308.4.5).

### Division 15: Mechanical (continued)

- Exhaust fan, min. 50 cfm (VIF), run metal exhaust duct directly to the outside of the building, insulate, slope duct so condensation drains to outside. Bathroom windows shall have min. 3 Sq. Ft. of aggregate glazing, 1/2 of which must be openable (I.R.C. 2018 Section R303.3).
- Provide 30" min. clear width for the water closet and 21" clear in front (I.R.C. 2018 Figure R307.1).
- Appliances having an ignition source shall be elevated such that the source of ignition is 5. not less than 18" above the floor in Garages (I.R.C. 2018 Section P2801.7).
- Radon Mitigation:

All Buildings used for the housing of persons shall be provided with basic radon mitigators. These mitigators are basic in nature and may require supplemental equipment should high levels of radon be found in the structure. Refer to 2018 I.R.C. for complete radon control methods.

Carbon Monoxide (CM) detectors: 7.

> Provide CM detectors when there is an attached garage and/or there is a gas fired appliance. CM detectors shall be provided within close proximity to sleeping areas.

### Division 16: Electrical

1. All systems shall be designed within the respective codes. Consultation with engineers respective to the appropriate trades is encouraged.

#### General Note:

Refer to attached structural drawings for all structural member sizes, structural connections & structural member spacing.

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# Drawn by: AGR RWC Checked by: 2427 Job no. **CONSULTANTS**

 $\cap$ 

Structural: Ridge Structural Engineering (208)227-8404

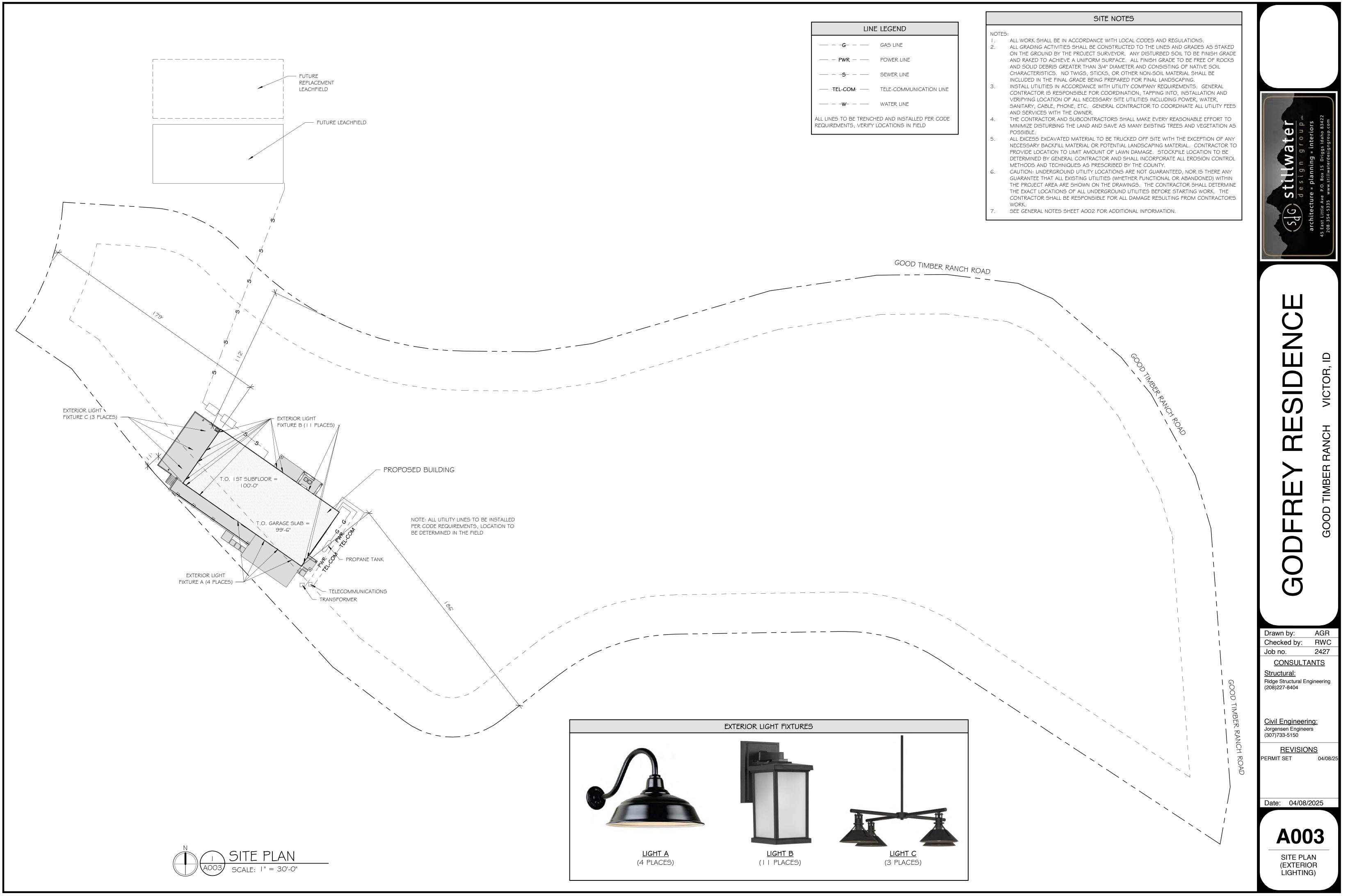
<u>Civil Engineering:</u> Jorgensen Engineers (307)733-5150

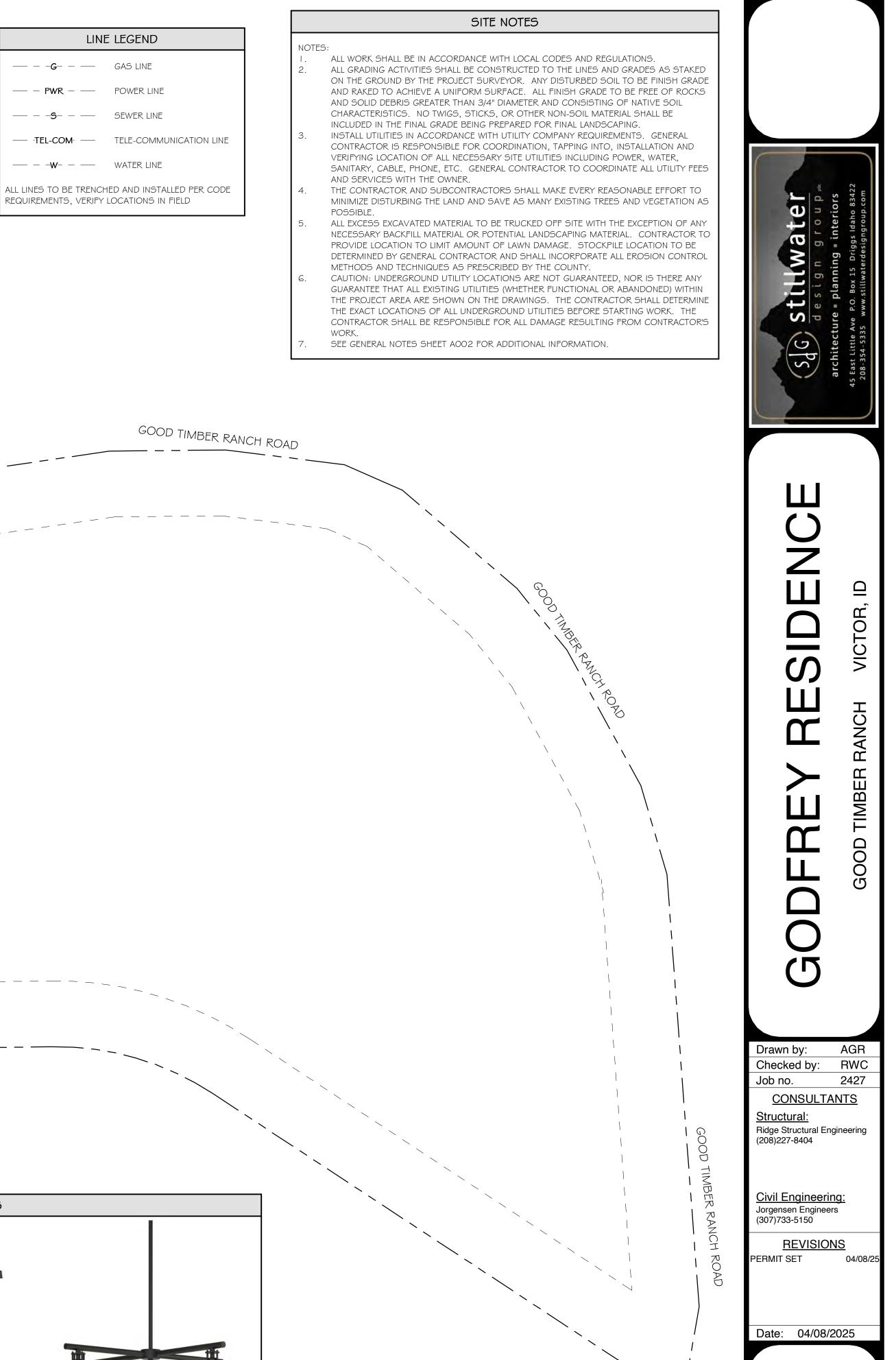
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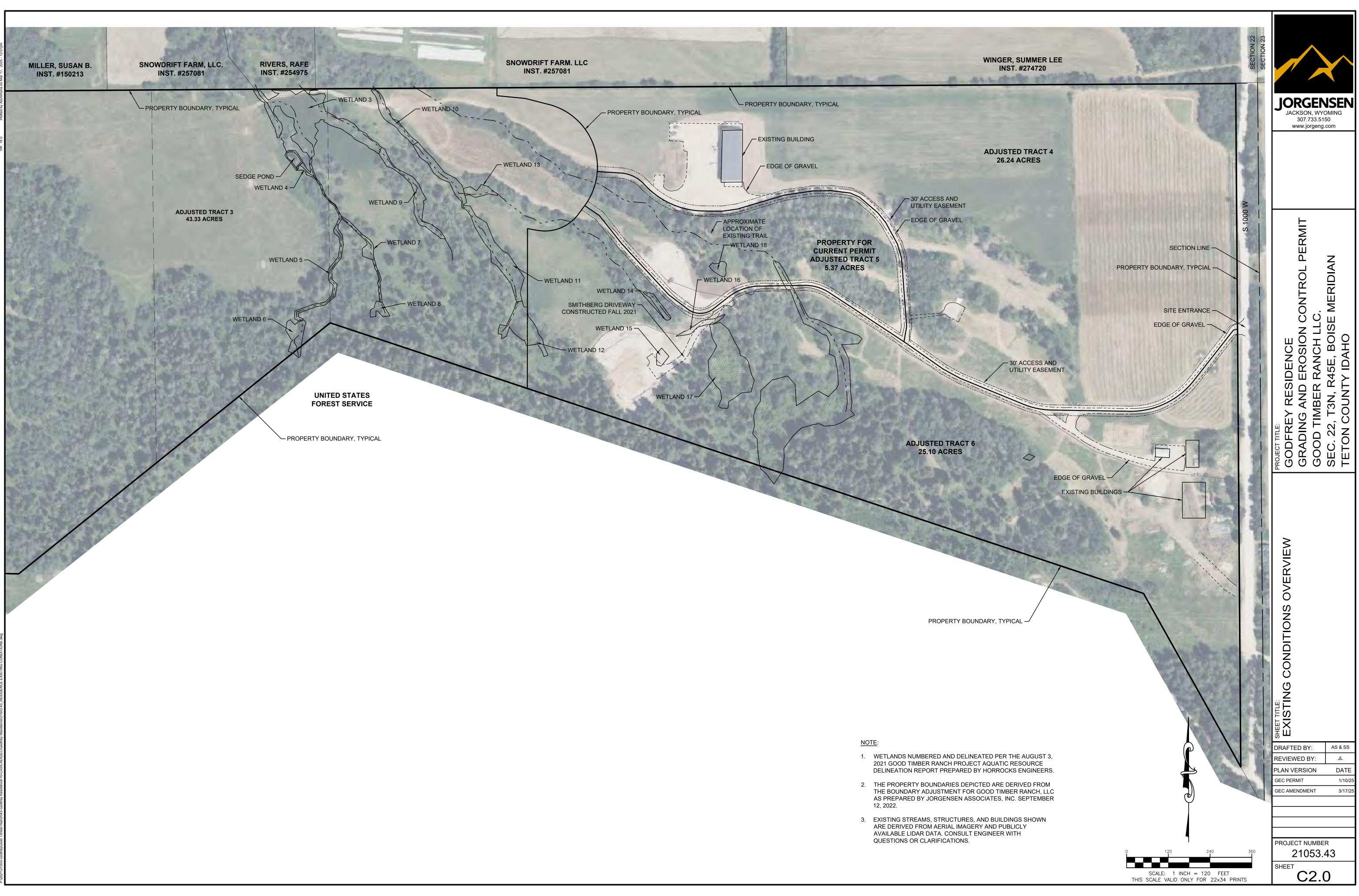
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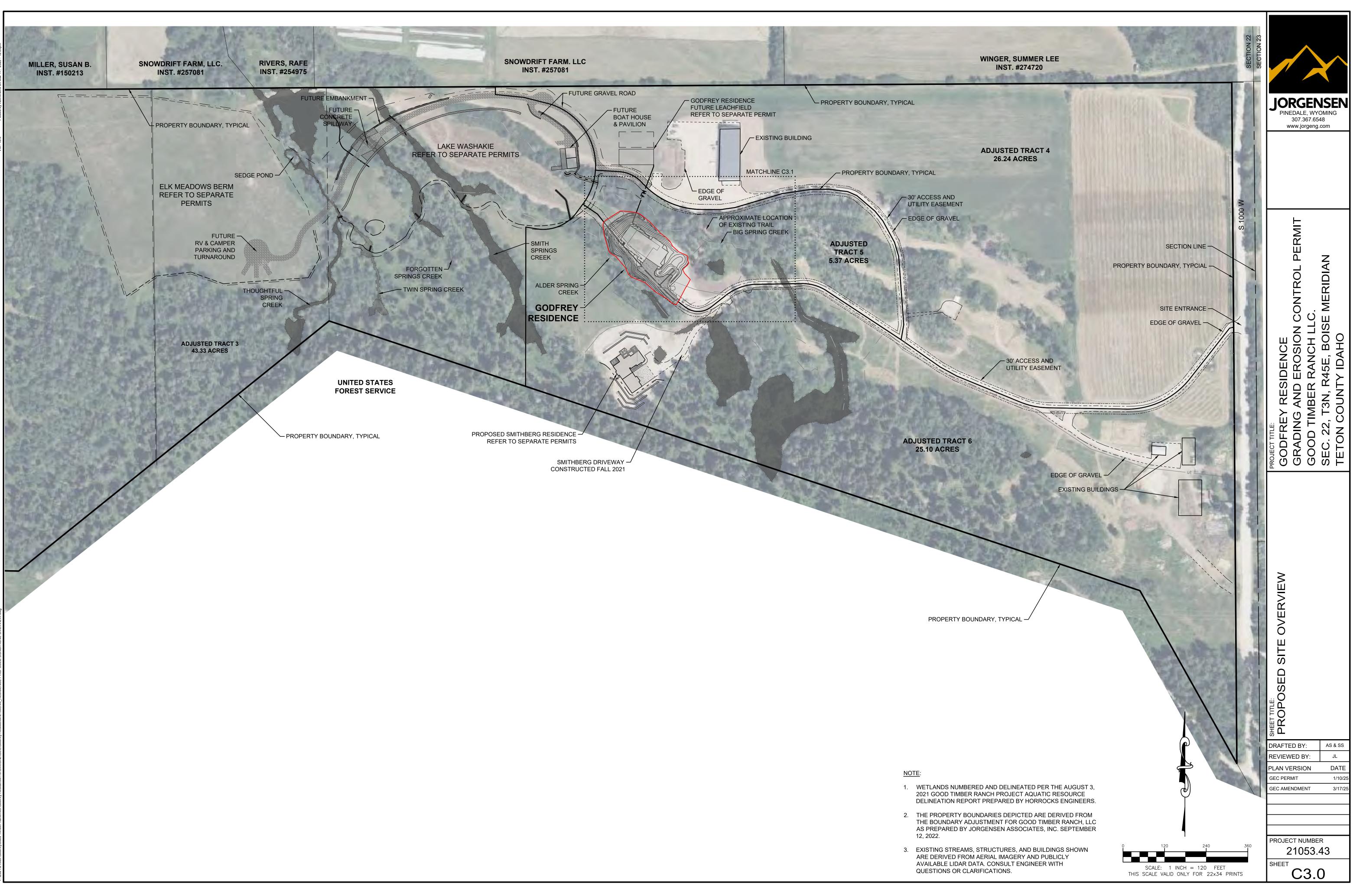


**GENERAL NOTES** 

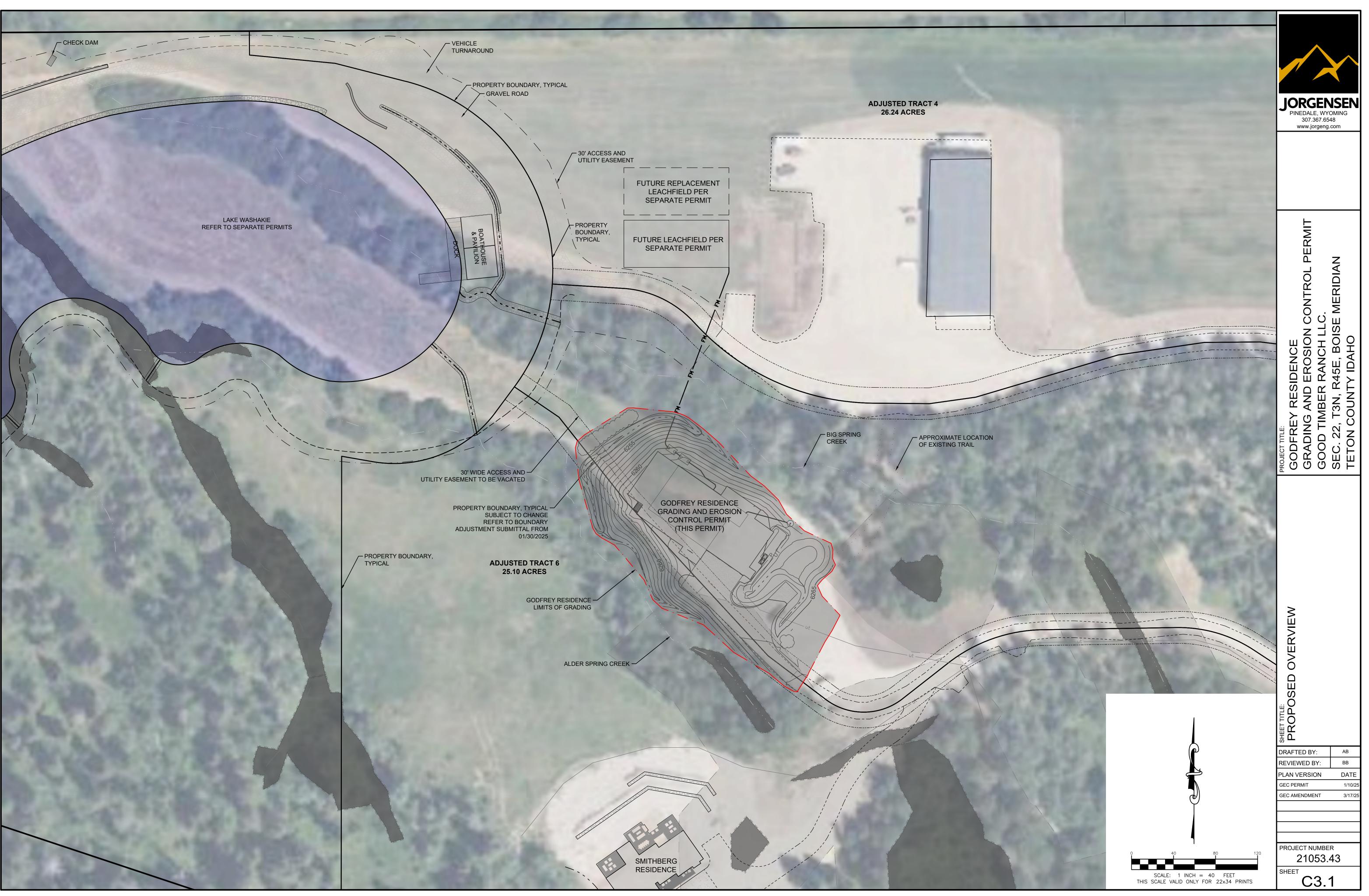






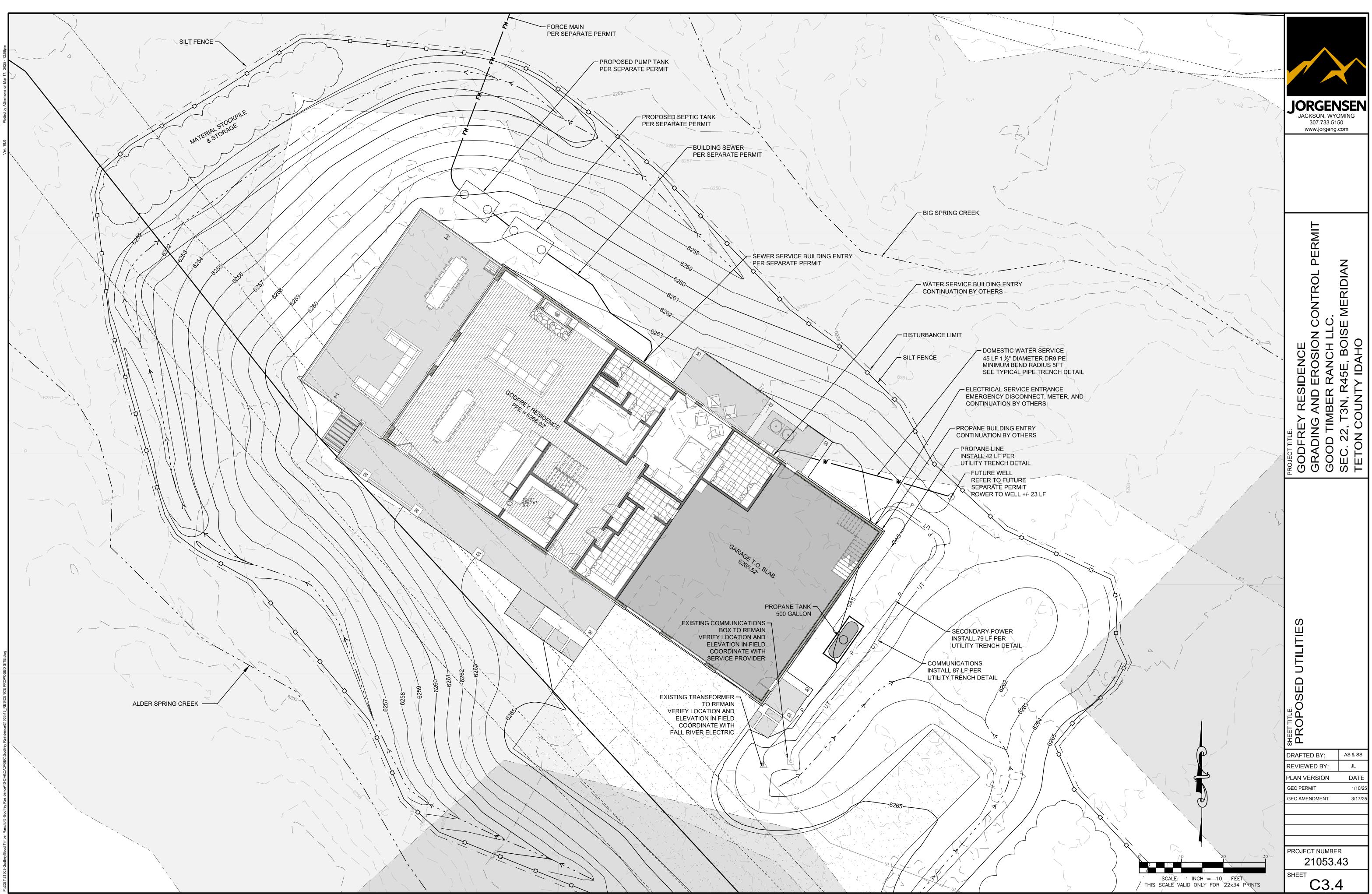


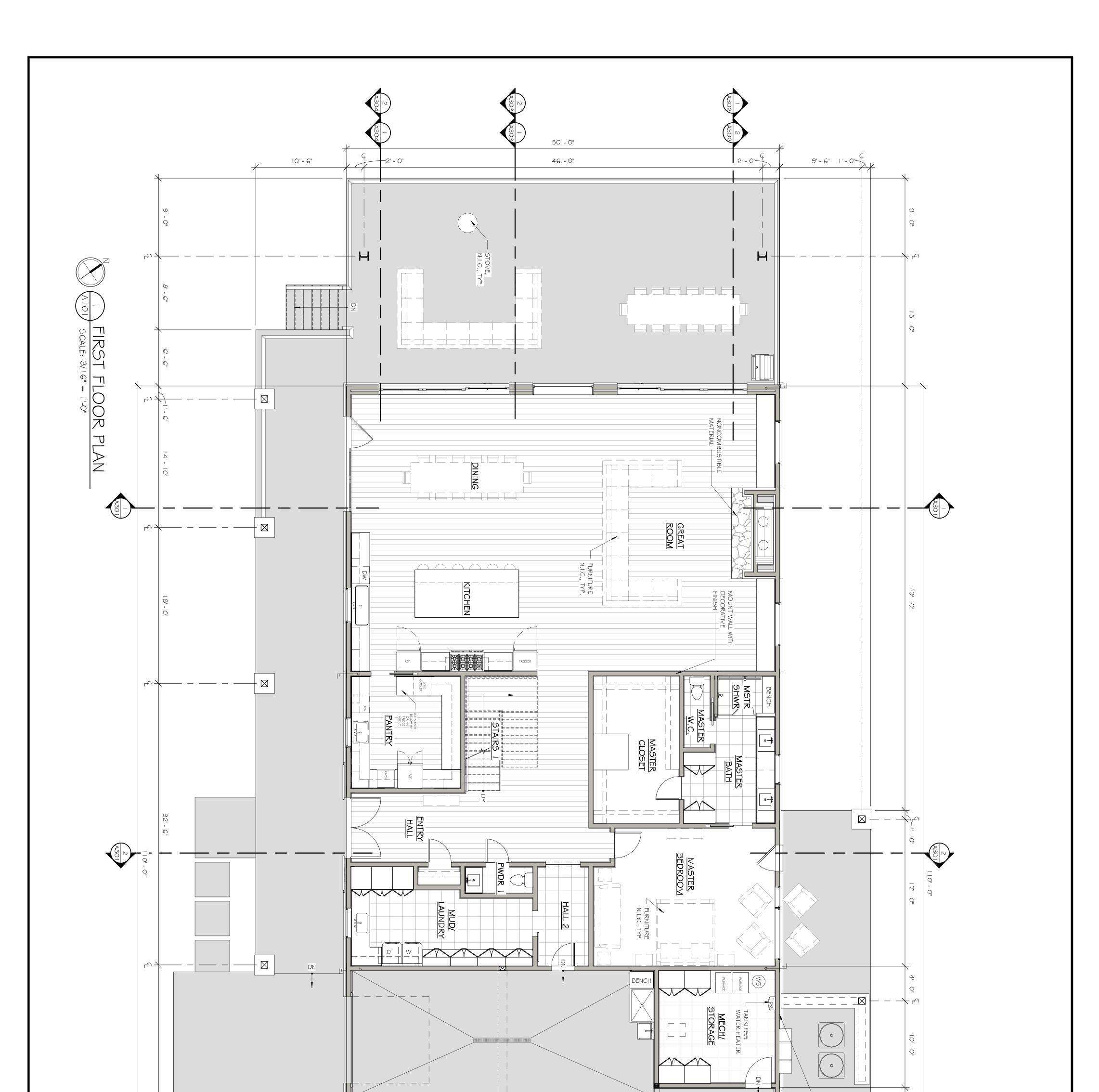


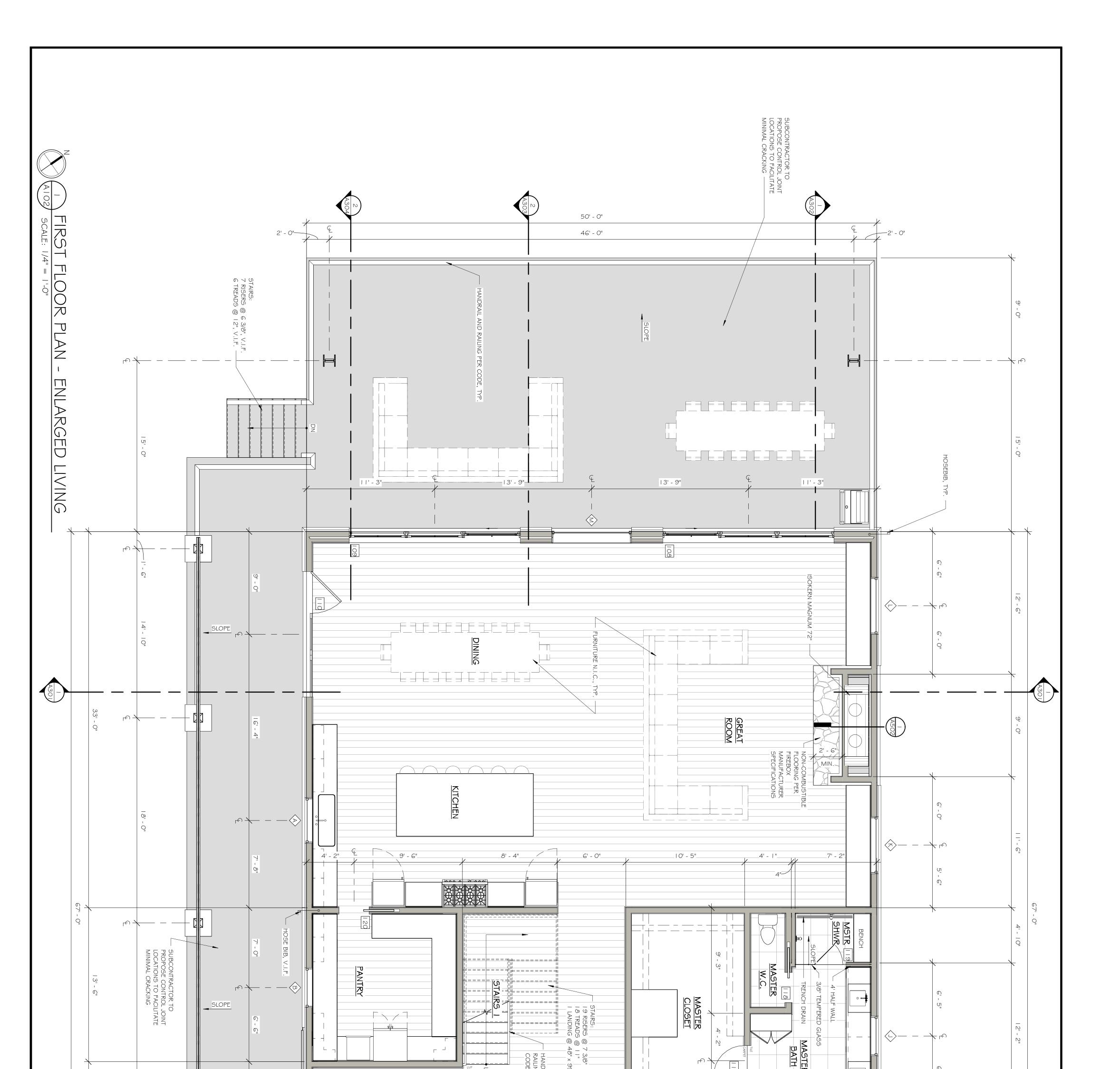




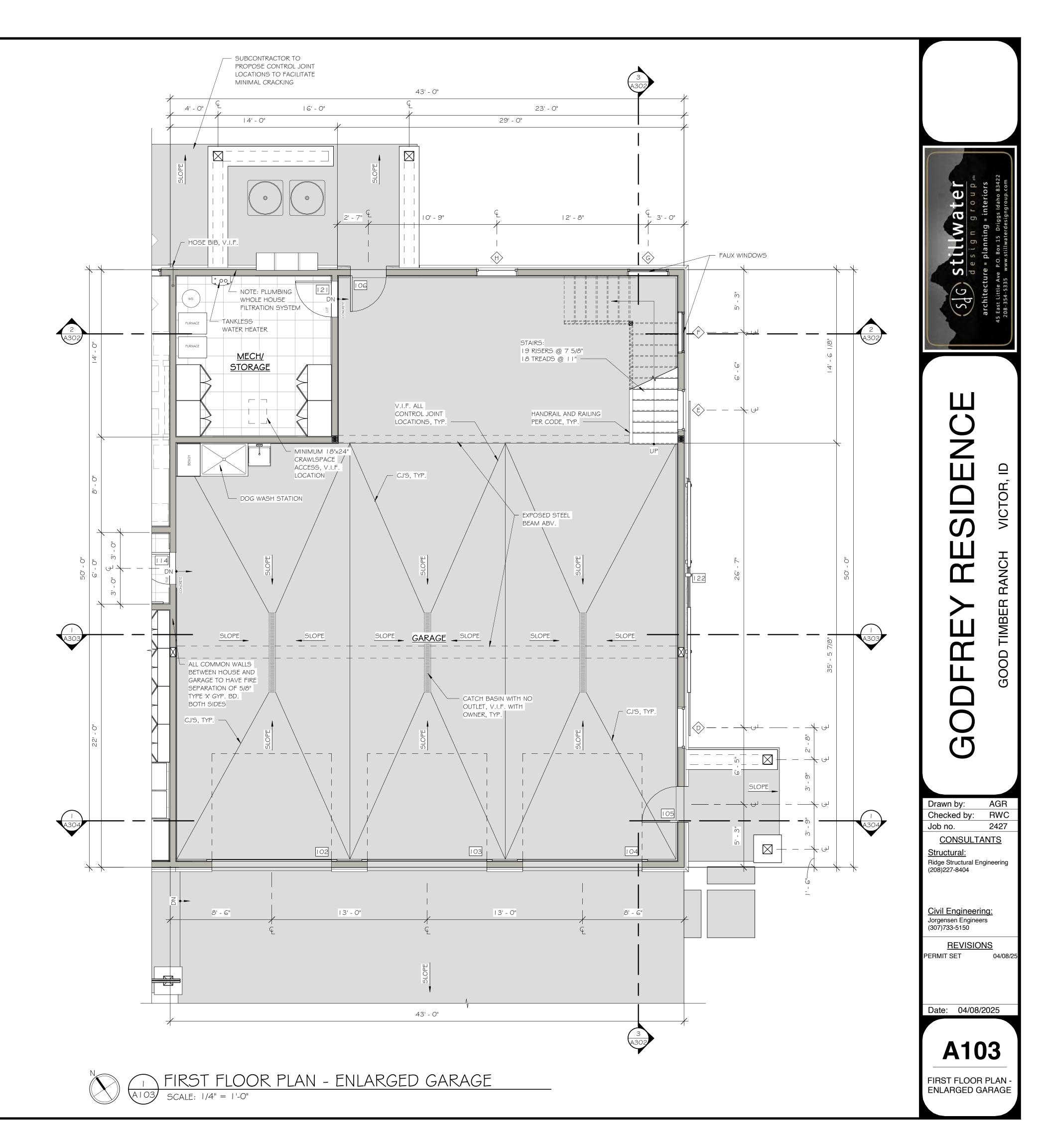


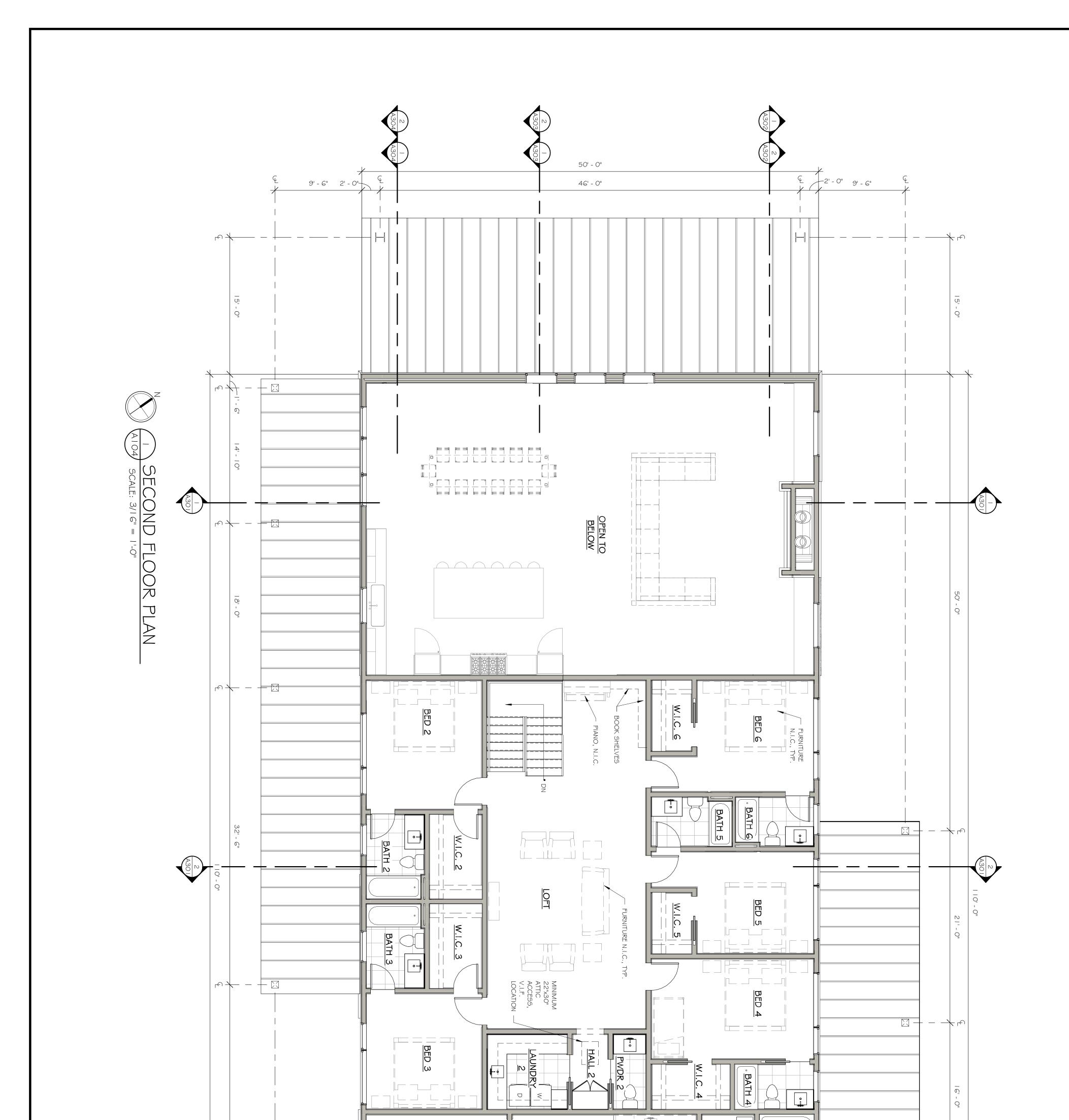


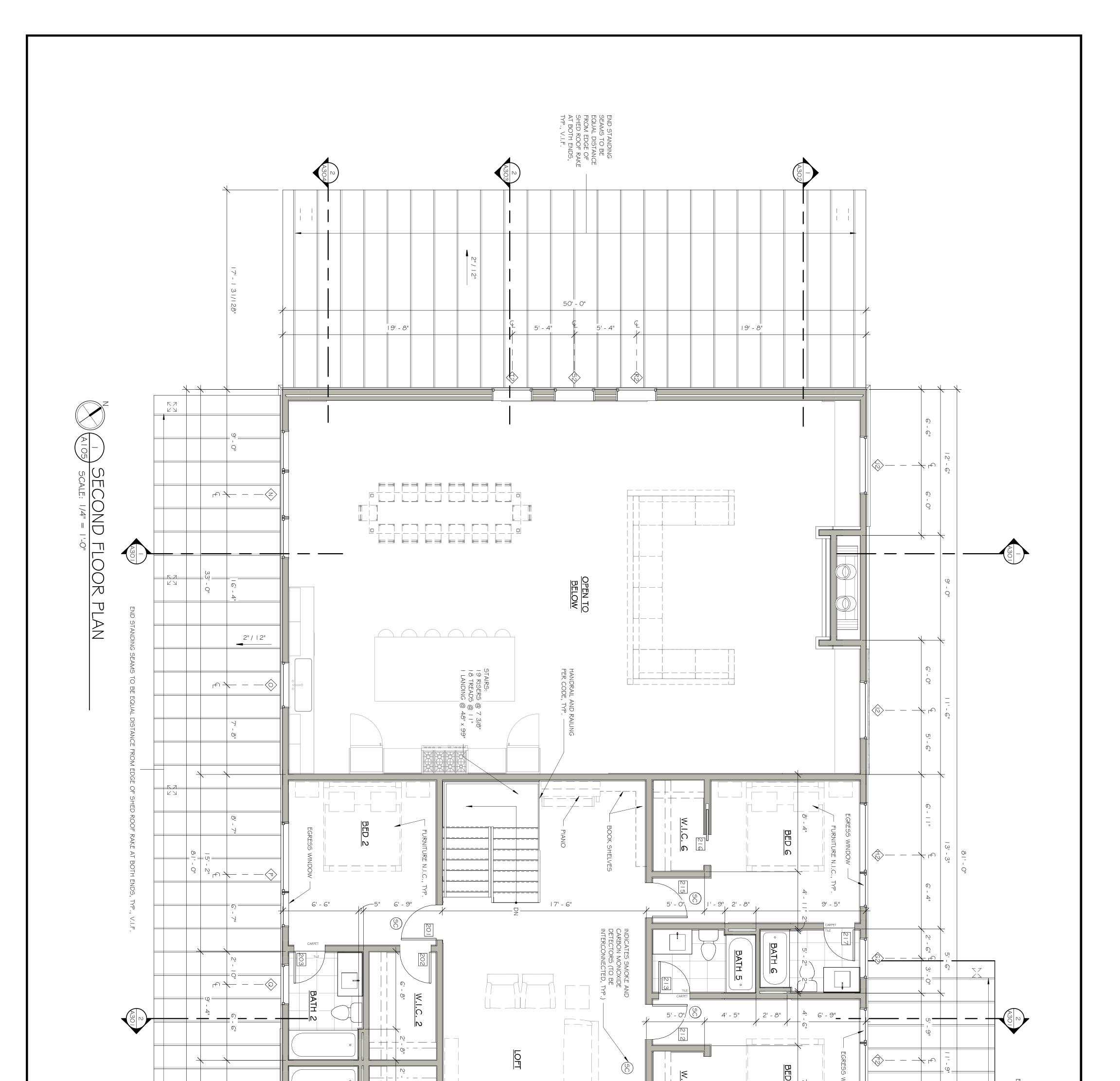




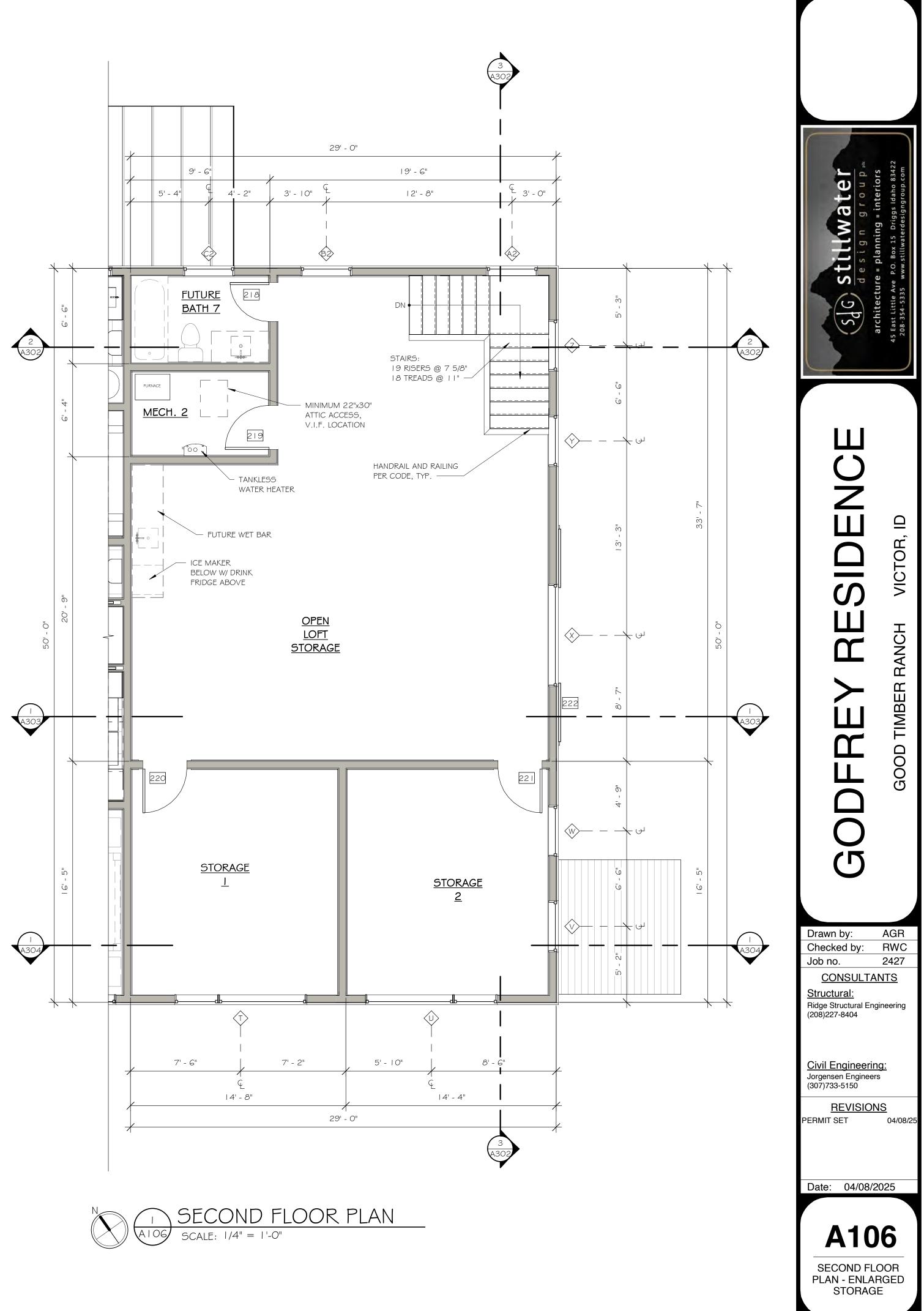


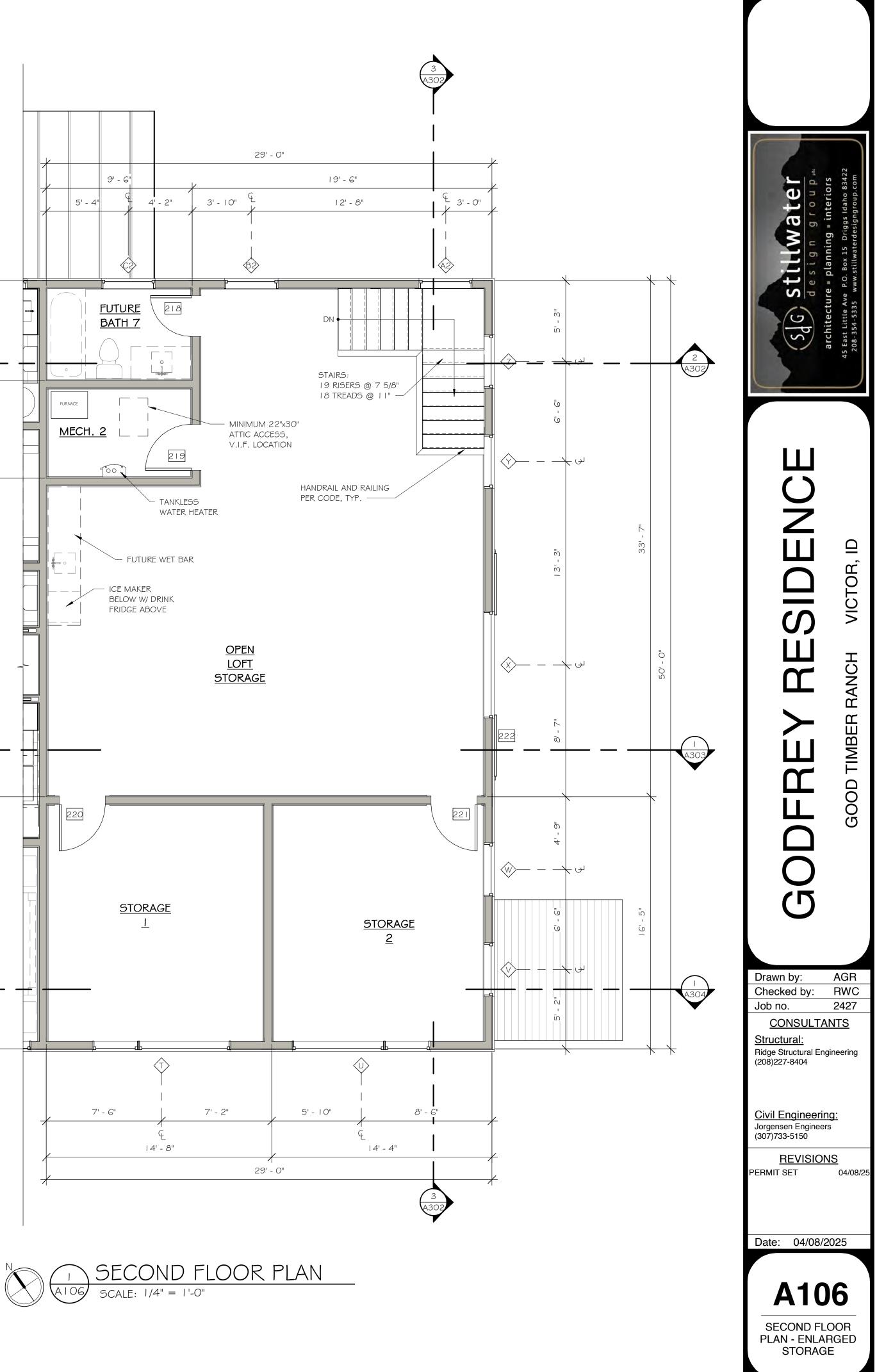


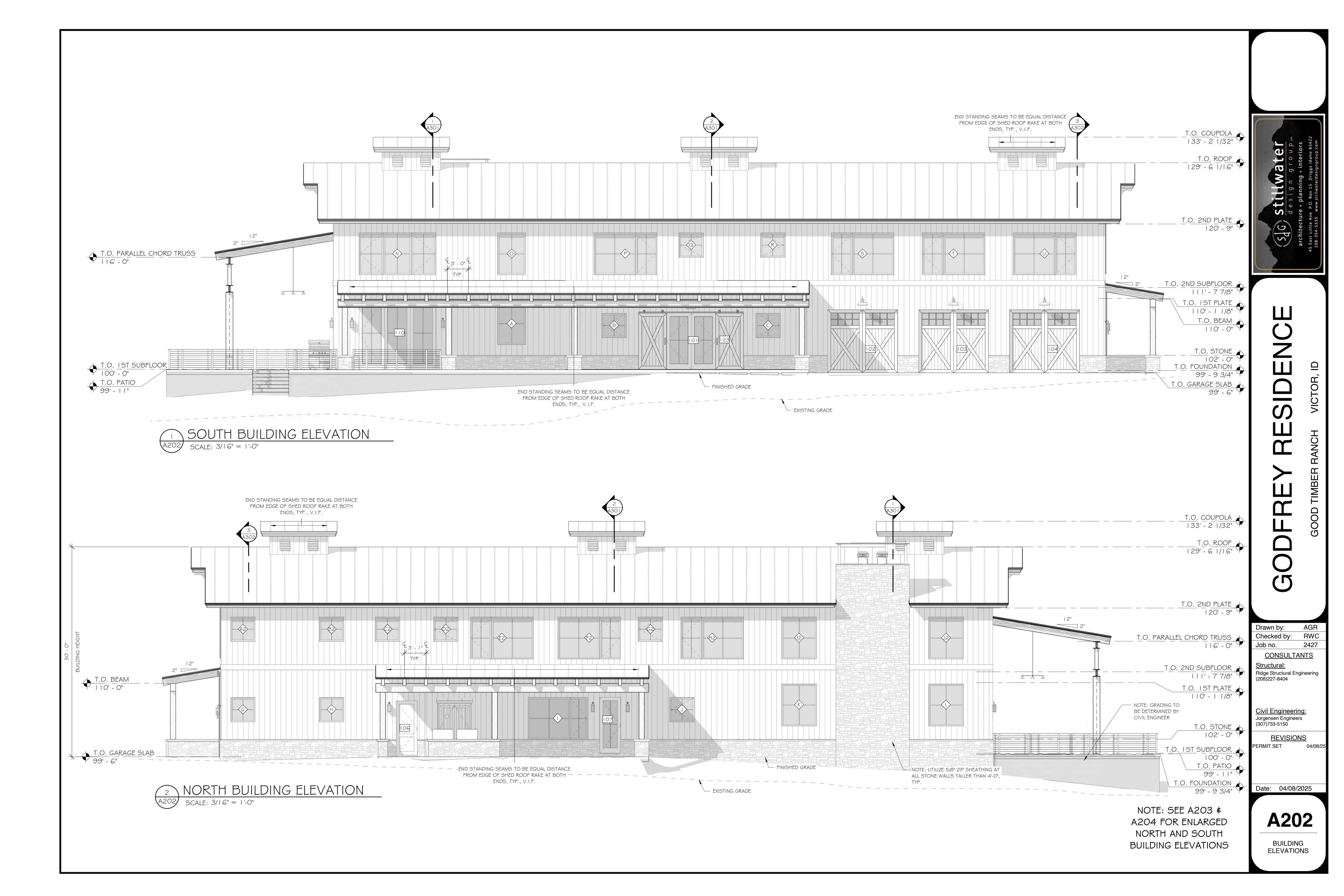


















3 SOUTHEAST BUILDING PERSPECTIVE A205 SCALE: N.T.S.











EXISTING	LEGEND PROPOSED	Attachme
		LOT BOUNDARY
		ACCESS & UTILITY EASEMENT
<u> </u>	6188	MINOR CONTOUR (1' INTERVAL)
<u> </u>	6190	MAJOR CONTOUR (5' INTERVAL)
- N MAK MAK MAK MAK MAK MAK MAK MAK		WETLAND (DELINEATED BY HORROCKS ENGINEERS)
		FLOWLINE (BASED ON TOPOGRAPHY AND AERIAL IMAGERY)
⊘мw−1		MONITORING WELL
₩TP-1		GEOTECHNICAL TEST PIT
12"		CONIFER TREE
		STRUCTURE
		STRAW WATTLE
	oo	SILT FENCE
	· · ·	LIMITS OF DISTURBANCE
		EDGE OF GRAVEL
		EDGE OF CONCRETE
	w	• WATERLINE
	S	SEWERLINE
	GAS	PROPANE LINE
ugp	P	POWER LINE
	UT	COMMUNICATION LINE
	$\odot$	WELL
	©	SEWER CLEANOUT
Ē		ELECTRICAL VAULT
É	É	ELECTRICAL TRANSFORMER

@ ADJ ALT APPROX AVE	AT ADJACENT ALTERNATE APPROXIMATE AVERAGE	FF FG FH FL FLG FT
BLDG BF	BUILDING BOTTOM OF FOOTING	FTG
BM BOW	BENCH MARK FINISHED GRADE AT BOTTOM OF WALL	GRND GRD
BOS BVC	BOTTOM OF STAIRS BEGINNING VERTICAL CURVE	H HORIZ
CFS C&G € CMP	CUBIC FEET PER SECOND CURB AND GUTTER CENTERLINE CORRUGATED METAL PIPE	ID IN INV
CMP CMU CO	CORROGATED METAL PIPE CONCRETE MASONARY UNIT CLEANOUT	К
CONC COORD CP CF	CONCRETE COORDINATE CONTROL POINT CUBIC FOOT	LB LF LT
CY Δ	CUBIC YARD CENTRAL ANGLE	MAX MECH MFR
DESC DET DI DIA, Ø DIP DWG	DESCRIPTION DETAIL DROP INLET DIAMETER DUCTILE IRON PIPE DRAWING	MI IX MGD MH MI MIN MISC MJ MON
E EA EJ ELEV ENG EVC EW	EAST EACH EXPANSION JOINT ELEVATION ENGINEER ENDING VERTICAL CURVE EACH WAY	N NIC NO. NOM NTS
EX EXT	EXISTING EXTERIOR	OC OD
FDN	FOUNDATION	PC

### ABBREVIATIONS

FINISHED FLOOR FINISH GRADE FIRE HYDRANT FLOW LINE FLANGE FOOT OR FEET FOOTING GROUND GRADE HEIGHT	PCF PI PK NAIL PL POB POC POE POE PSI PT PVC PVI PVMT	POUNDS PER CUBIC FOOT POINT OF INTERSECTION SURVEY REFERENCE POINT PROPERTY LINE POINT OF BEGINNING POINT ON CURVE POINT OF ENDING POUNDS PER SQUARE INCH POINT OF TANGENCY POINT OF VERTICAL CURVATURE POINT OF VERTICAL INTERSECTION PAVEMENT
HORIZONTAL	R	RADIUS, RIGHT, RISER
INSIDE DIAMETER	RCP	REINFORCED CONCRETE PIPE
INCH	REF	REFER OR REFERENCE
INVERT	ROW	RIGHT-OF-WAY
	RT	RIGHT
RATE OF VERTICAL CURVATURE	S	SOUTH
POUNDS	SCH	SCHEDULE
LINEAR FEET	SF	SQUARE FOOT
LEFT	SPEC	SPECIFICATIONS
	SS	SANITARY SEWER
MAXIMUM	STA	STATION
MECHANICAL	STD	STANDARD
MANUFACTURER	STM	STORM SEWER
MILLION GALLONS PER DAY	SW	SIDEWALK
MANHOLE	000	SIDEWAER
MILE, MILES	ТВС	TOP BACK OF CURB
MINIMUM	TEL	TELEPHONE
MISCELLANEOUS	TEMP	TEMPORARY
MECHANICAL JOINT	TOC	TOP OF CONCRETE
MONUMENT	ТОР	TOP OF WALL
	TOW	FINISHED GRADE AT TOP OF WALL
NORTH	TOS	TOP OF STAIRS
NOT IN CONTRACT	TYP	TYPICAL
NUMBER		
NOMINAL	UG	UNDER GROUND
NOT TO SCALE		
	VERT	VERTICAL
ON CENTER		
OUTSIDE DIAMETER, OVERFLOW	W	WEST
POINT OF CURVATURE	YD	YARD
I GINT OF GUIVATURE	YR	YEAR
	ΪΓ	



#### **GENERAL PROJECT NOTES:**

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE TETON COUNTY LAND DEVELOPMENT CODE.
- 2. PROJECT SCOPE: GRADE THE SITE FOR THE PROPOSED GODFREY RESIDENCE CONSIDERING THE RESIDENCE STRUCTURE, AN AUTOCOURT, DRIVEWAY AND UTILITIES.
- 3. PROPERTY ZONE: FOOTHILLS (FH-10) ZONING OVERLAY: WILDFIRE HAZARD OVERLAY
- 4. PROPERTY AREA = +/- 5.37 ACRES (233,918 SF) TOTAL AREA OF DISTURBANCE: 37,600 SF (0.86 ACRE) SITE DEVELOPMENT: BUILDI

BUILDING FOUNDATION, PATIOS AND HARDSCAPES:	8,230 SF
DRIVEWAY & AUTO-COURT:	4,720 SF
TOTAL RESIDENCE SITE DEVELOPMENT:	12,950 SF

PLOWABLE IMPERVIOUS SURFACE: +/- 4,720 SF (2.01% OF LOT)

- 5. SNOW STORAGE REQUIREMENT = 2.5% x 4,720 SF = 118 SF SNOW STORAGE AREA PROVIDED: ADEQUATE SNOW STORAGE ALONG DRIVEWAY.
- 6. PROJECT SCHEDULE: CONSTRUCTION TO START IN SPRING 2025 AND BE COMPLETED FALL 2026.
- 15. BASE MAPPING PREPARED FROM SURVEYS PERFORMED BY JORGENSEN ASSOCIATES DURING APRIL
- 16. THE PROJECT AREA IS NOT LOCATED IN A FLOODPLAIN
- 17. NO AVALANCHE PATHS ARE PRESENT ON THIS SITE.

2021 AND PUBLICLY AVAILABLE LIDAR DATA.

#### **REVEGETATION SPECIFICATIONS:**

(FOLLOW MITIGATION PLAN. FOLLOW THESE SPECIFICATIONS WHERE NOTHING IS SPECIFIED ON MITIGATION PLANS OR BY LANDSCAPE ARCHITECT.)

1. SEED MIXTURE:

COMMON NAME	LBS./ACRE
MOUNTAIN BROME THICKSPIKE WHEATGRASS IDAHO FESCUE WESTERN WHEATGRASS ALPINE TIMOTHY	10 LBS./ACRE 12 LBS./ACRE 6 LBS./ACRE 12 LBS./ACRE 12 LBS./ACRE
TOTAL PURE LIVE SEED APPLICATION RATE	52 LBS./ACRE

3. EXISTING VEGETATION IS TO BE MAINTAINED TO THE EXTENT POSSIBLE.

- 4. ALL AVAILABLE TOPSOIL FROM EXCAVATIONS SHALL BE STRIPPED AND STORED ONSITE FOR REUSE IN REESTABLISHING VEGETATION. SUPPLEMENT NATIVE TOPSOIL WHERE NECESSARY TO REESTABLISH VEGETATION. DO NOT STOCKPILE TOPSOIL DEEPER THAN 4 FT IF AREA IS AVAILABLE.
- 5. SEED MIXES CONTAINING NATIVE FLOWERING PLANTS SUCH AS LUPINE, YARROW AND PAINTBRUSH ARE ACCEPTABLE.
- 6. ALL SEED SHALL COMPLY WITH LOCAL SEED LAW. SEED SHALL BE PURCHASED FROM A DEALER LICENSED WITH THE DEPARTMENT OF AGRICULTURE. CERTIFICATIONS FOR THE SEED MIX SHALL BE PROVIDED TO THE ENGINEER PRIOR TO SEEDING.
- 7. TOPSOIL SHALL BE UNIFORMLY SPREAD ON PREPARED SURFACES PRIOR TO SEEDING. REMOVE FOREIGN MATERIALS, WEEDS AND UNDESIRABLE PLANTS FROM THE PREPARED SOIL PRIOR TO SEEDING.
- 8. HARD PACKED OR CAKED TOPSOIL SURFACES SHALL BE SCARIFIED OR DISKED PRIOR TO SEEDING. REVEGETATE ALL DISTURBED AREAS AS SOON AS PRACTICAL AFTER GRADING.
- 9. SEED SHALL BE UNIFORMLY DISTRIBUTED OVER THE SURFACE BY APPROVED MECHANICAL

THE SEED.

AND BEFORE THE FROST ENTERS THE GROUND IN THE FALL. SEEDING SCHEDULE: SEEDING TO BE COMPLETE BY FALL 2026.

#### CONSTRUCTION NOTES & SPECIFICATIONS:

- REVIEW AND BE RESPONSIBLE FOR PERMIT COMPLIANCE.
- DISTURBING ACTIVITIES.
- ENGINEER OF ANY VARIATIONS OR DISCREPANCIES.
- PRIVATE UNDERGROUND UTILITIES EXIST IN THE PROJECT AREA.
- PRIOR TO PLACING SUBBASE.
- **REVEGETATION SPECIFICATIONS.**

- GRADING.
- ARMY CORPS OF ENGINEERS.
- AND STRUCTURAL FILL SELECTION.
- COUNTY PLANNING DIRECTOR.
- FINALLY STABILIZED.
- VALUES, AND VOLUME OF STORAGE SHALL NOT BE REDUCED.
- TO REVEGETATION AND AFTER REVEGETATION IS COMPLETE.
- THE BUILDING FOR THE FIRST 10'.

BROADCASTING DEVICES AND THE GROUND SHALL BE IMMEDIATELY RAKED OR DRAGGED TO COVER

10. SEEDING SHALL BE PERFORMED BETWEEN THE TIME THE FROST LEAVES THE GROUND IN THE SPRING

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE PERMITS AND AGREEMENTS. CONTACT ENGINEER FOR COPIES OF PERMITS AND PERMIT REQUIREMENTS. CONTRACTOR SHALL

2. IF NECESSARY, IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN A IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY NPDES STORMWATER PERMIT PRIOR TO COMMENCING ANY LAND

3. CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD AND SHALL PROMPTLY NOTIFY THE

4. CONTRACTOR SHALL VERIFY LOCATION OF ALL BURIED AND OVERHEAD UTILITIES PRIOR TO ANY EXCAVATION IN THE VICINITY. UTILITY LOCATIONS SHOWN ON THESE DRAWINGS ARE APPROXIMATE AND BASED ON THE BEST INFORMATION AVAILABLE TO THE ENGINEER. ENGINEER DOES NOT WARRANT THE ACCURACY NOR COMPLETENESS OF THE INFORMATION SHOWN FOR EXISTING UTILITIES. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES PRIOR TO INSTALLING IMPROVEMENTS.

5. FILL MATERIAL SHALL BE SUITABLE ON-SITE OR IMPORTED MATERIAL WITH ROCK NO LARGER THAN 6 INCHES IN DIAMETER. LARGER MATERIAL MAY BE PLACED ONLY WHEN AUTHORIZED BY THE ENGINEER.

6. SUBGRADE, STONEY ALLUVIUM SUBBASE, AND SITE FILL MATERIALS SHALL BE MECHANICALLY COMPACTED TO A MINIMUM OF 95% OF MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D698 (AASHTO T-99 - STANDARD PROCTOR DENSITY) IN LIFTS NOT TO EXCEED 12 INCHES IN LOOSE THICKNESS. MATERIAL TOO LARGE FOR MAX DENSITY TESTING SHALL BE CONSOLIDATED USING A VIBRATORY ROLLER AND ROLLER PATTER ACCEPTABLE TO THE ENGINEER. PROOF ROLL ALL SUBGRADE AREAS

7. CRUSHED GRAVEL BASE MATERIAL SHALL BE GRADING H OR GRADING W. CRUSHED GRAVEL BASE COURSES SHALL BE MECHANICALLY COMPACTED TO A MINIMUM OF 95% OF MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557 (AASHTO T-180 - MODIFIED PROCTOR DENSITY).

8. DESTRUCTION AND DAMAGE TO TREES AND OTHER NATURAL VEGETATION SHALL BE MINIMIZED AND ALL DISTURBED SURFACES SHALL BE SEEDED AS SOON AS PRACTICAL IN ACCORDANCE TO THE

9. FUGITIVE DUST WILL BE CONTROLLED BY WATERING DURING DRY PERIODS

10. ALL EXCAVATED MATERIALS SHALL BE STOCKPILED AND PROCESSED ON-SITE ONLY AT LOCATIONS AS DESIGNATED ON THE PLANS. CONTRACTOR TO CONFIRM STOCKPILE LOCATIONS WITH THE OWNER.

11. TOPS OF CUT AND FILL SLOPES SHALL BE ROUNDED TO AVOID RAVELING AND EROSION. CUT AND FILL SLOPES SHALL NOT EXCEED 2:1 WITHOUT SPECIAL STABILIZATION AND APPROVAL FROM ENGINEER.

12. A 6" MINIMUM LAYER OF TOPSOIL SHALL BE PLACED ON ALL SLOPES AND AREAS STRIPPED FOR

13. NO WETLANDS SHALL BE DISTURBED WITHOUT FIRST OBTAINING NECESSARY PERMITS FROM THE U.S.

14. AREAS WITH UNSUITABLE SUBGRADE UNDER ROADWAYS OR BUILDING SHALL BE SUB-EXCAVATED AND REPLACED WITH APPROVED STRUCTURAL FILL. COORDINATE WITH ENGINEER FOR REMOVAL DEPTHS

15. ALL PERMANENT FENCING MUST COMPLY WITH SECTION 5-4-1 E, WILDLIFE FRIENDLY FENCING, OF THE TETON COUNTY LAND DEVELOPMENT REGULATIONS. THIS SECTION INCLUDES A PROVISION FOR SPECIAL PURPOSE FENCING. ALL SPECIAL PURPOSE FENCING MUST BE APPROVED BY THE TETON

16. BEFORE START OF CONSTRUCTION INSTALL CONSTRUCTION FENCE/SILT FENCE/STRAW WATTLE TO DEFINE LIMITS OF LAND DISTURBING ACTIVITIES. FENCE FILTER FABRIC SHALL BE SPUN BOND GEOTEXTILE FABRIC. EROSION CONTROL MEASURES SHALL REMAIN IN PLACE UNTIL THE SITE IS

17. CONTRACTOR IS RESPONSIBLE FOR PERIODIC INSPECTIONS, MAINTENANCE AND REPAIR OF EROSION CONTROL STRUCTURES TO INSURE PROPER SEDIMENT CONTAINMENT AND EROSION CONTROL. INSPECT STRUCTURES MONTHLY AND AFTER ANY SIGNIFICANT RUNOFF EVENT.

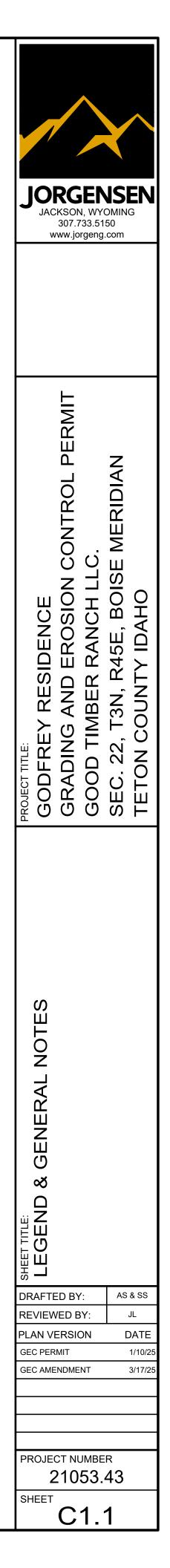
18. STORMWATER RUNOFF SHALL BE MANAGED IN ACCORDANCE WITH TETON COUNTY LAND DEVELOPMENT REGULATIONS. RUNOFF FROM THE SITE SHALL NOT EXCEED THE PRE-CONSTRUCTION

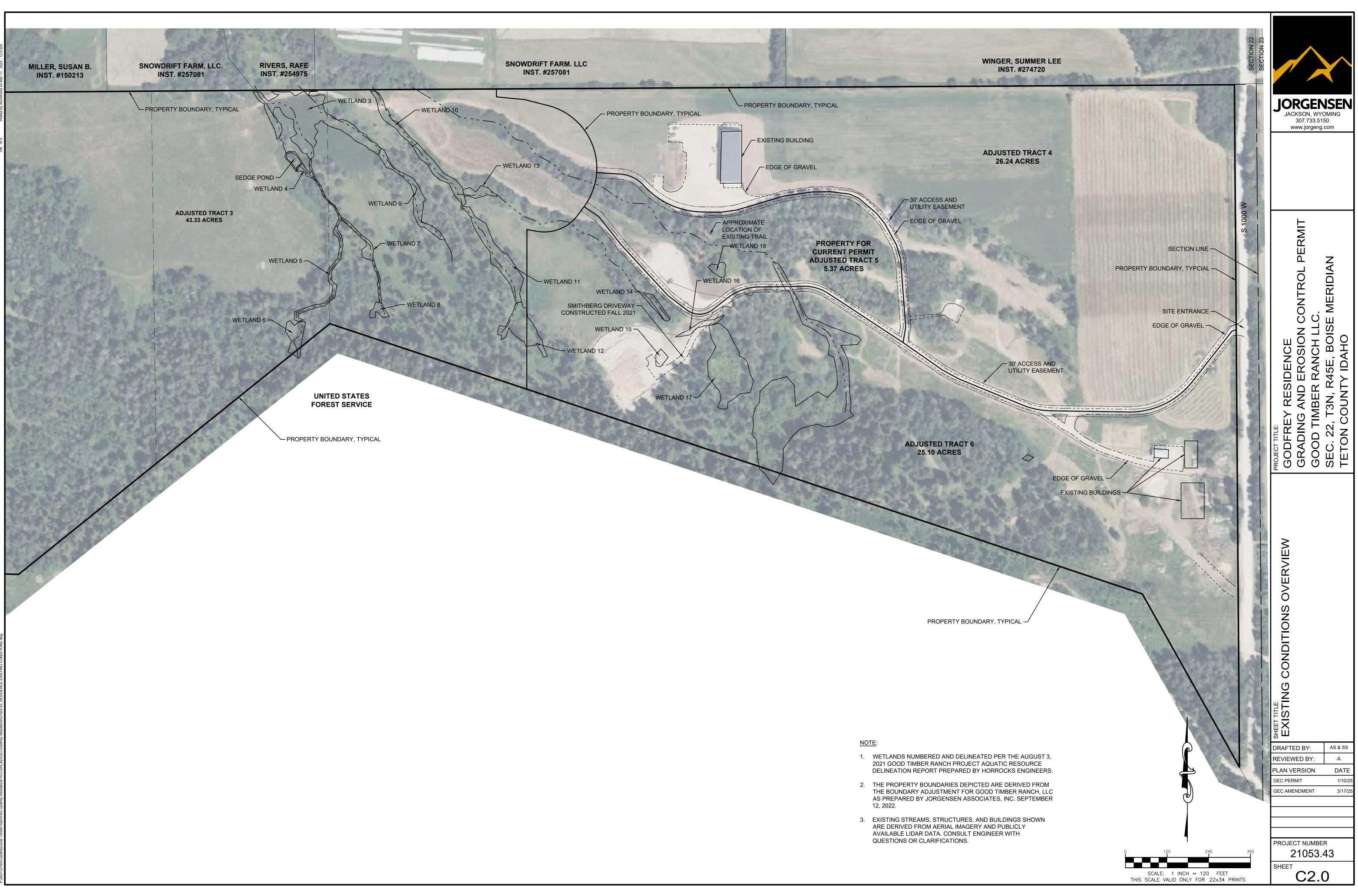
19. CONTRACTOR SHALL MONITOR THE PROJECT SITE FOR THE GROWTH OF NOXIOUS WEEDS. NOXIOUS WEEDS SHALL BE REPORTED TO THE TETON COUNTY WEED AND PEST DISTRICT OFFICE. CONTRACTOR AND OWNER SHALL IMPLEMENT A WEED CONTROL PROGRAM TO CONTROL NOXIOUS WEEDS.

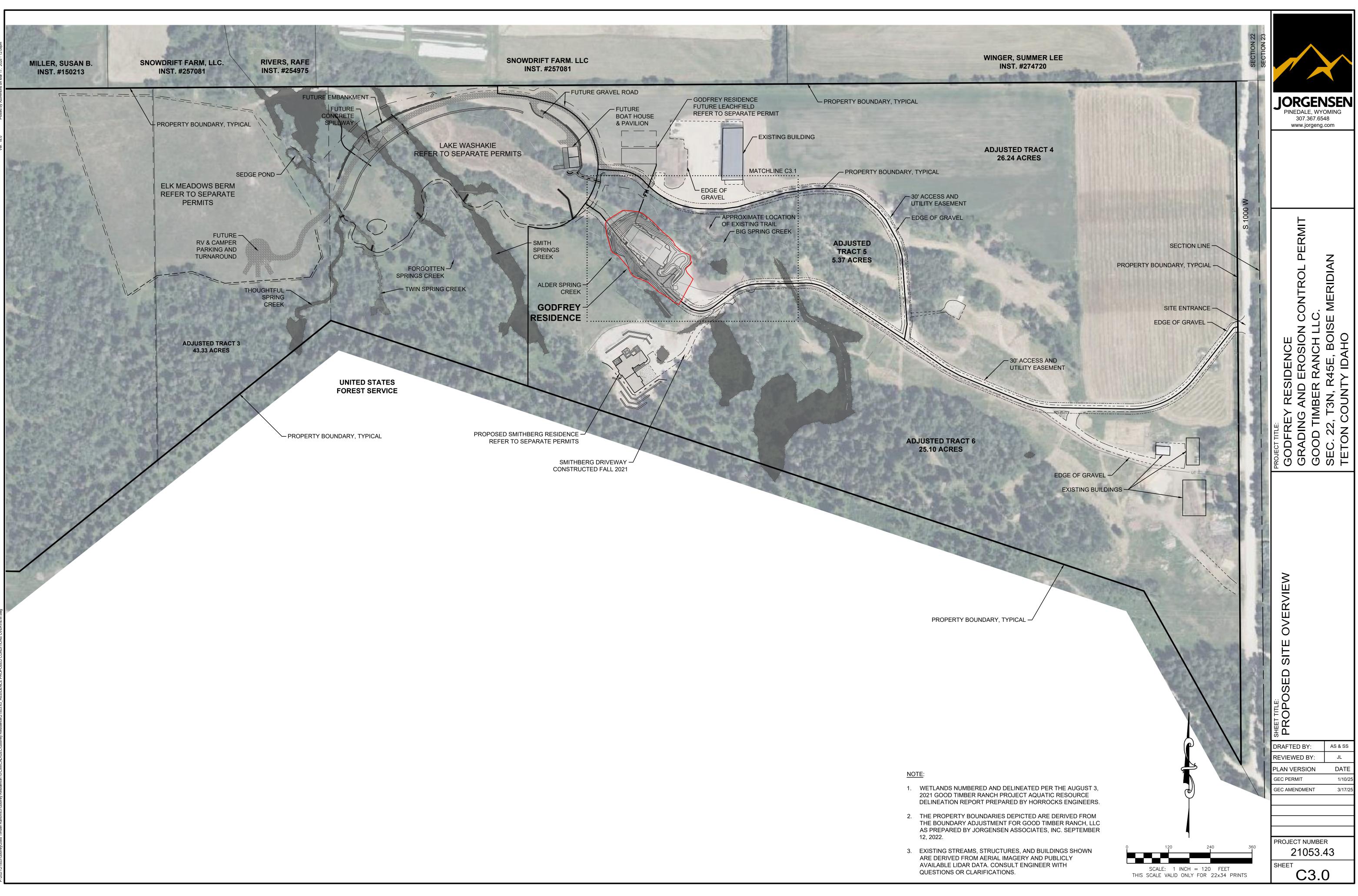
20. WEEDS SHALL BE CONTROLLED BY SPRAYING, LIMITING DISTURBANCE AREA, OR OTHER MEANS PRIOR

21. GRADING SHALL PROVIDE A MINIMUM OF 6" OF FALL IN THE FIRST 10' AWAY FROM FOUNDATION WALL ADJACENT TO LANDSCAPED AREAS. HARDSCAPES SHALL BE SLOPED AT A MINIMUM 2% AWAY FROM

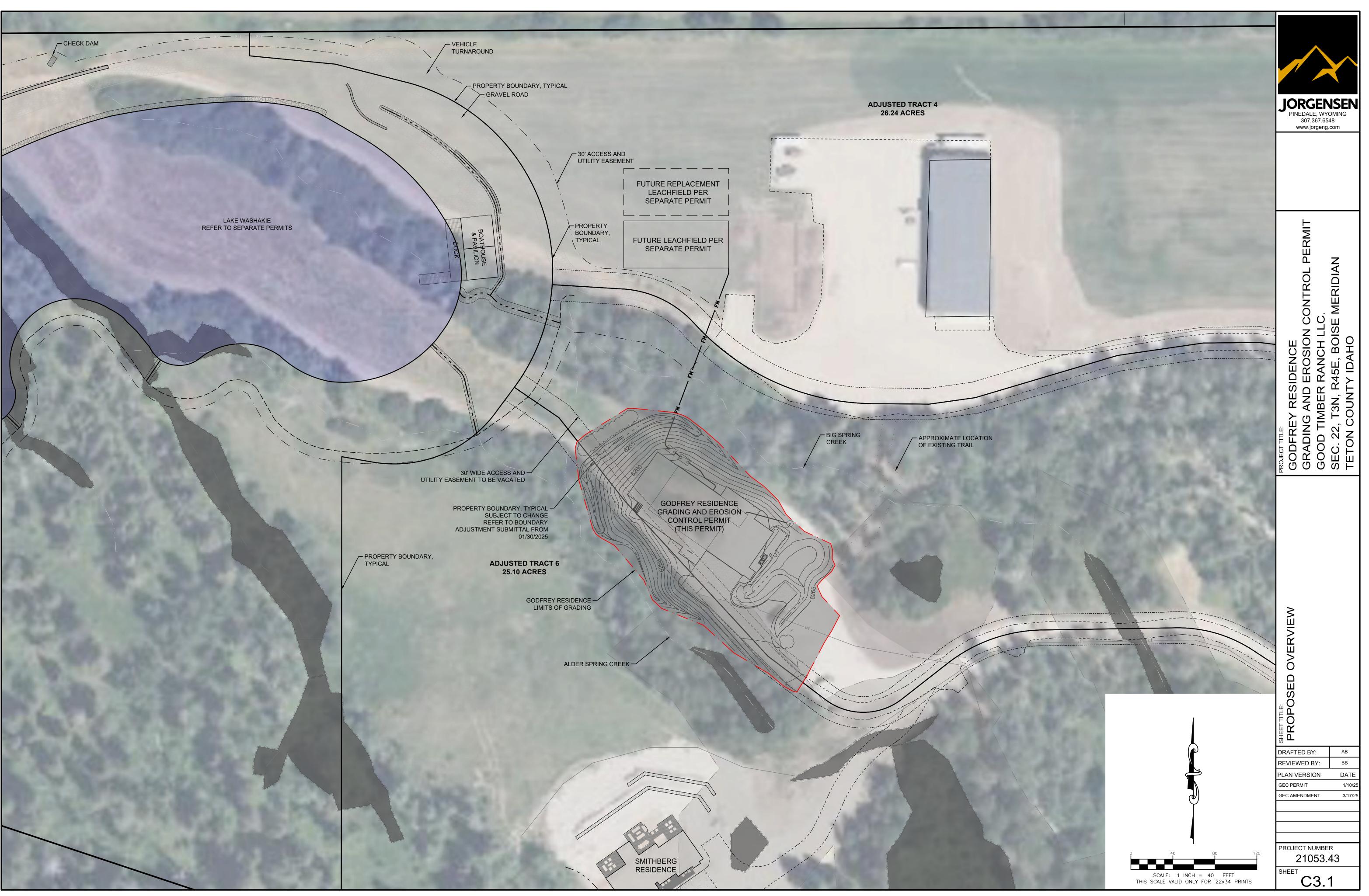
22. DRIVEWAY SHALL ADHERE TO TETON COUNTY LAND DEVELOPMENT CODE SECTION 5-6-2.







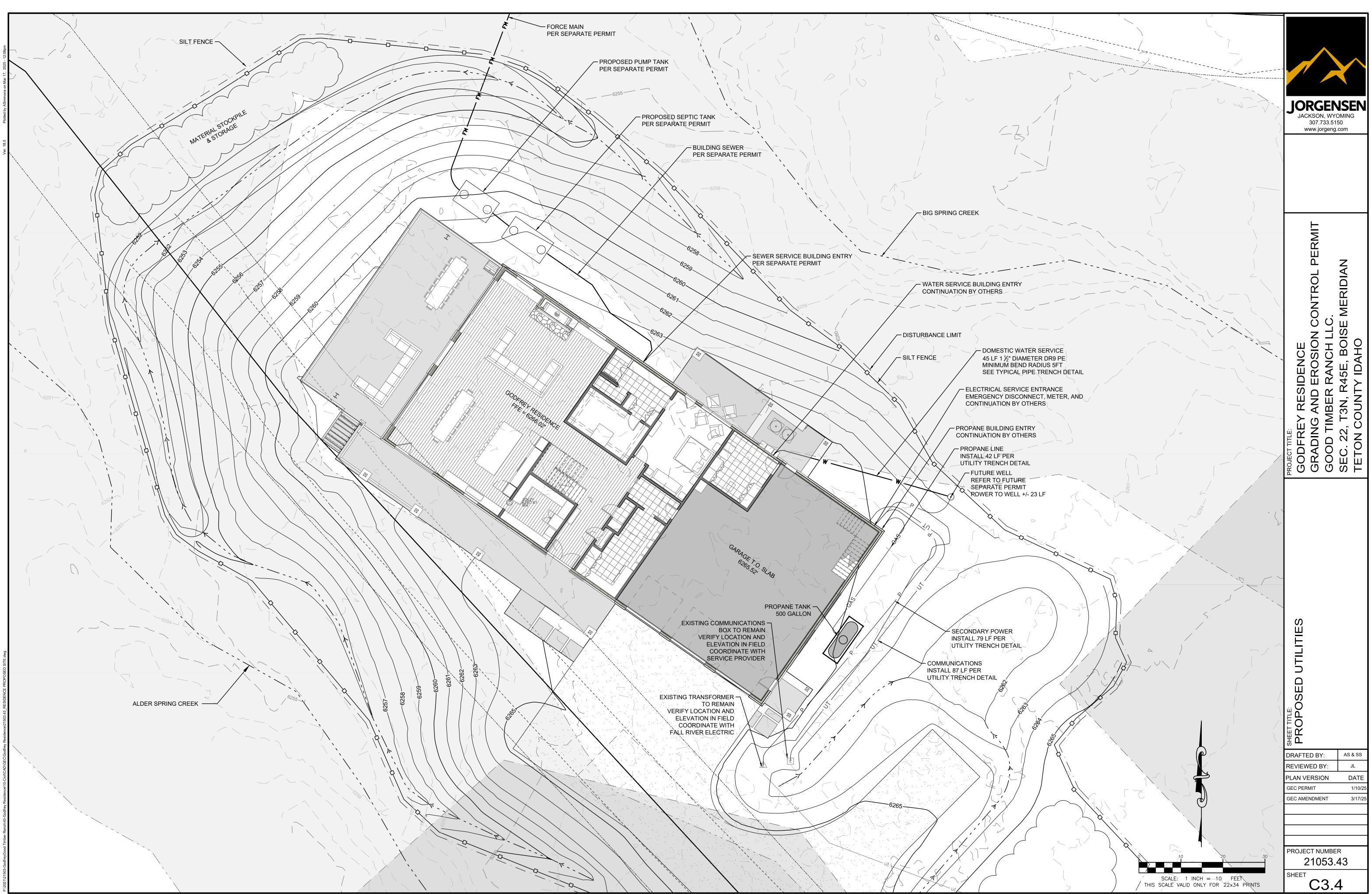




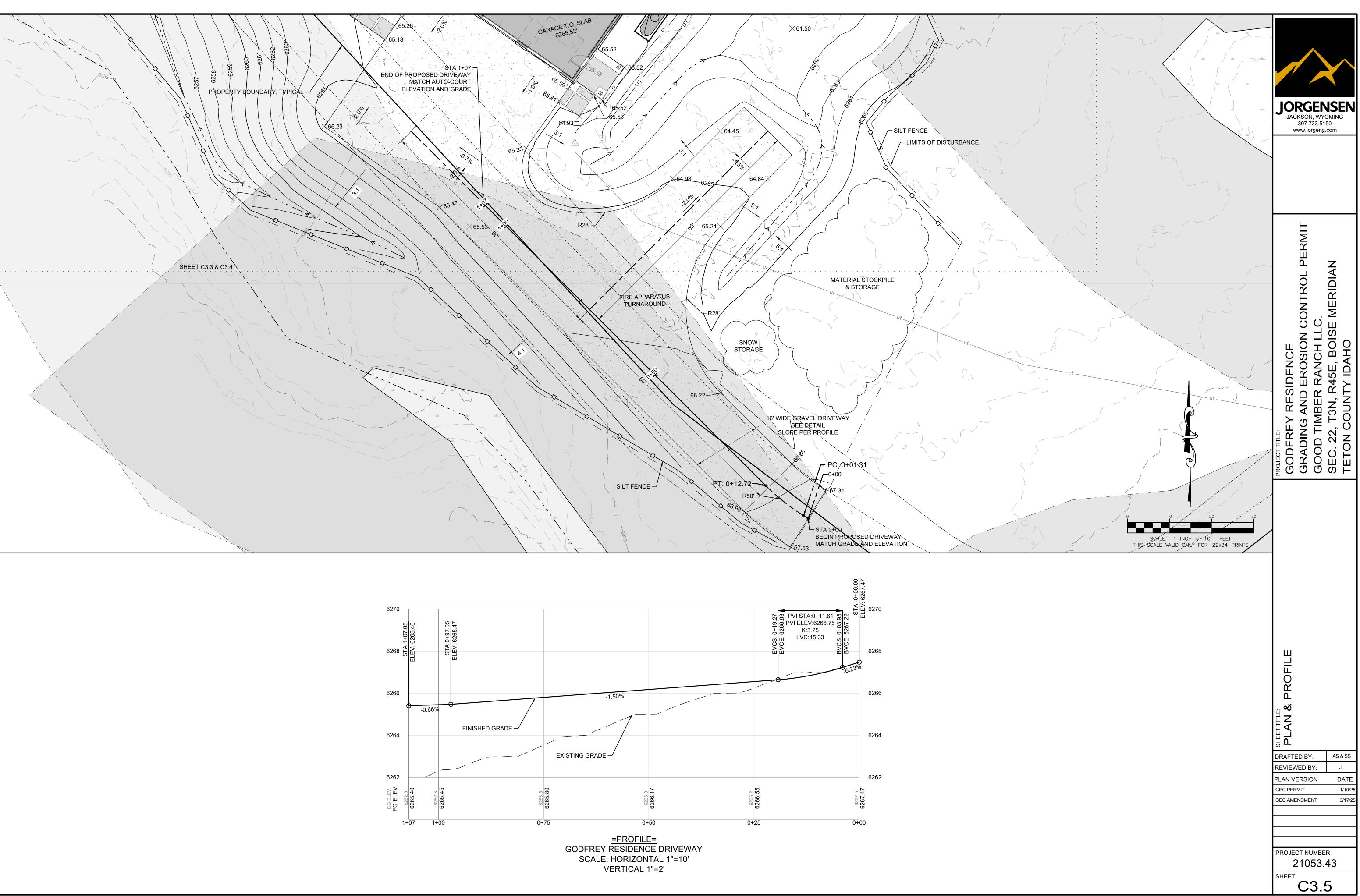
221/21503-GodfreyGood Timber Ranchi43-Godfrey Residence/10-Civil/CADIGEC/Godfrey Residence/21503.43\_RESIDENCE PROPOSED CONDITIONS OVERV



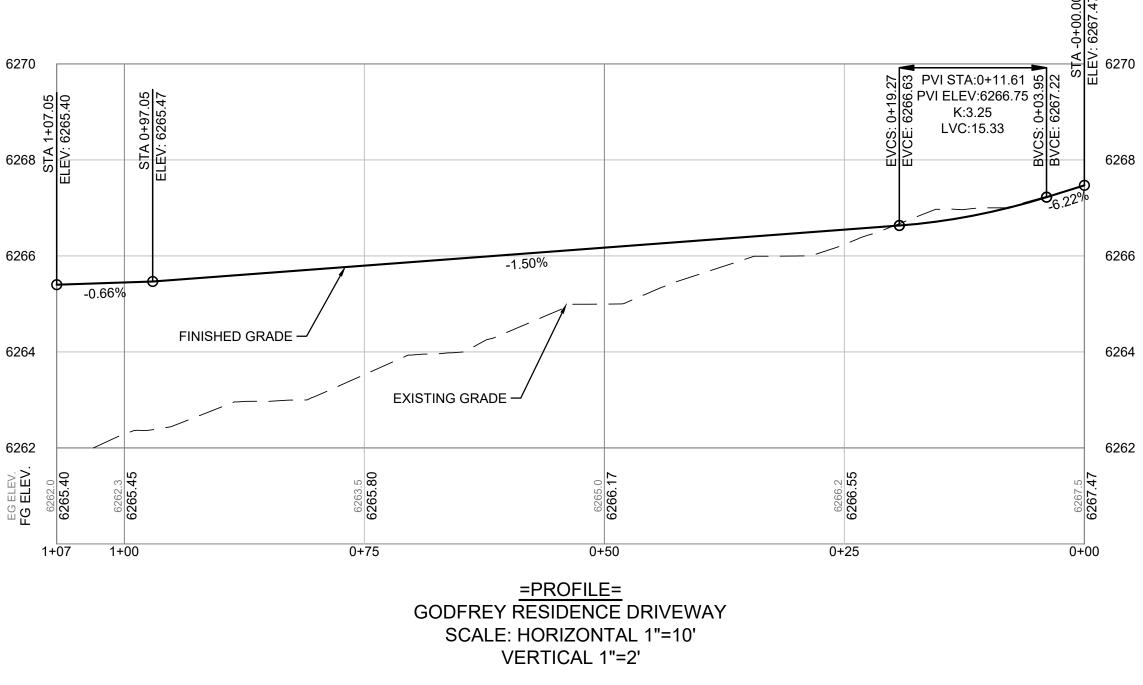


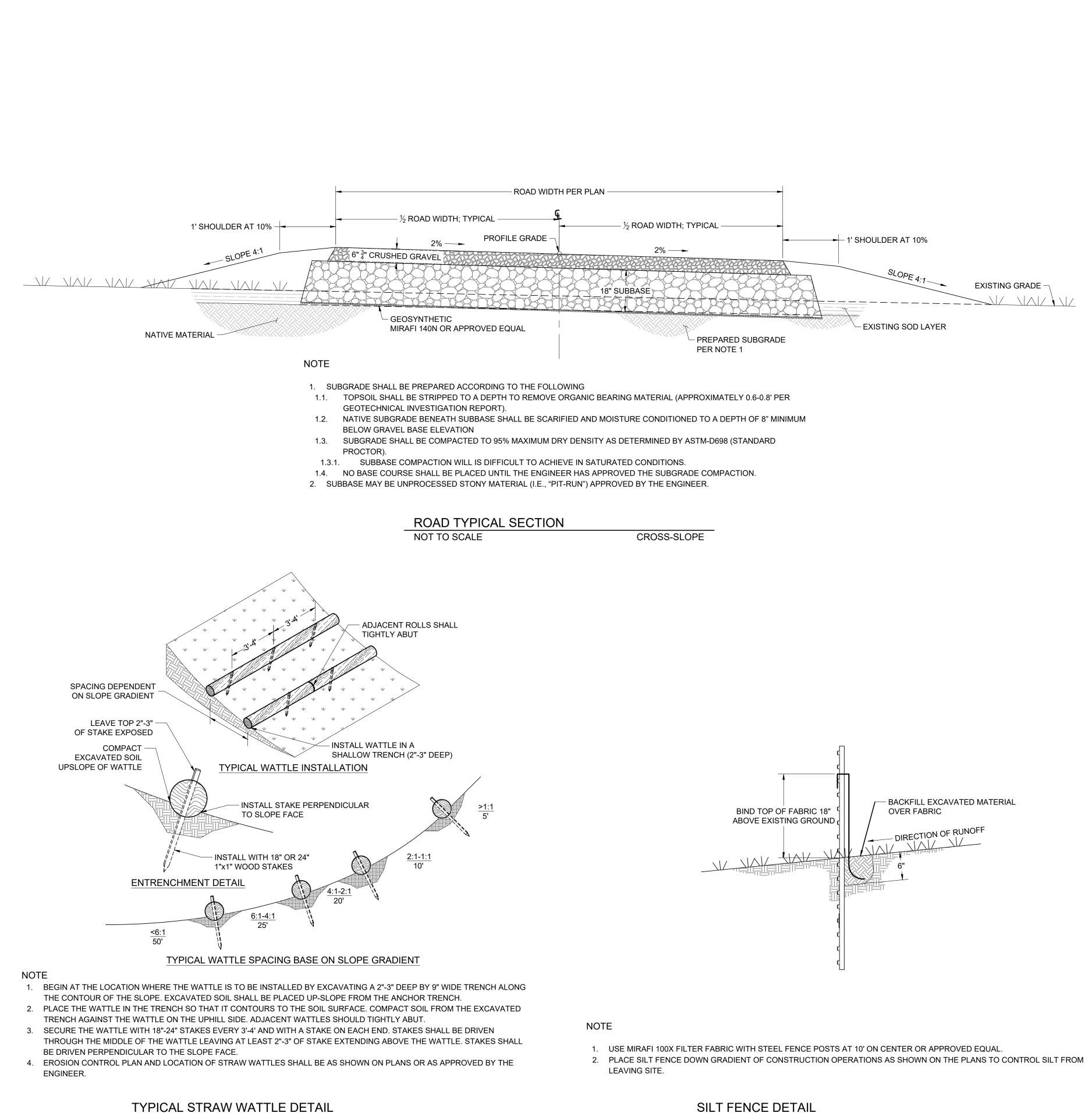












NOT TO SCALE

TRENCH EXCAVATION TO CONFORM -TO O.S.H.A. REGULATIONS

WARNING TAPE (2' OVER UTILITY)

24" WIDE BLUE BOARD INSULATION -INSTALL DIRECTLY ON TOP OF PIPE WHERE REQUIRED, SEE NOTE 7

TYPE 1 PIPE BEDDING MATERIAL

#### NOTE

- TYPE A: 95% MODIFIED PROCTOR DENSITY
- PIPE SUPPORT
- SECTION 02231, PART 3.03.
- REGULATIONS.
- ENGINEER.
- 7. PROVIDE INSULATION ACCORDING TO THE FOLLOWING CRITERIA:

- 7.4.
- 7.5.

NOT TO SCALE

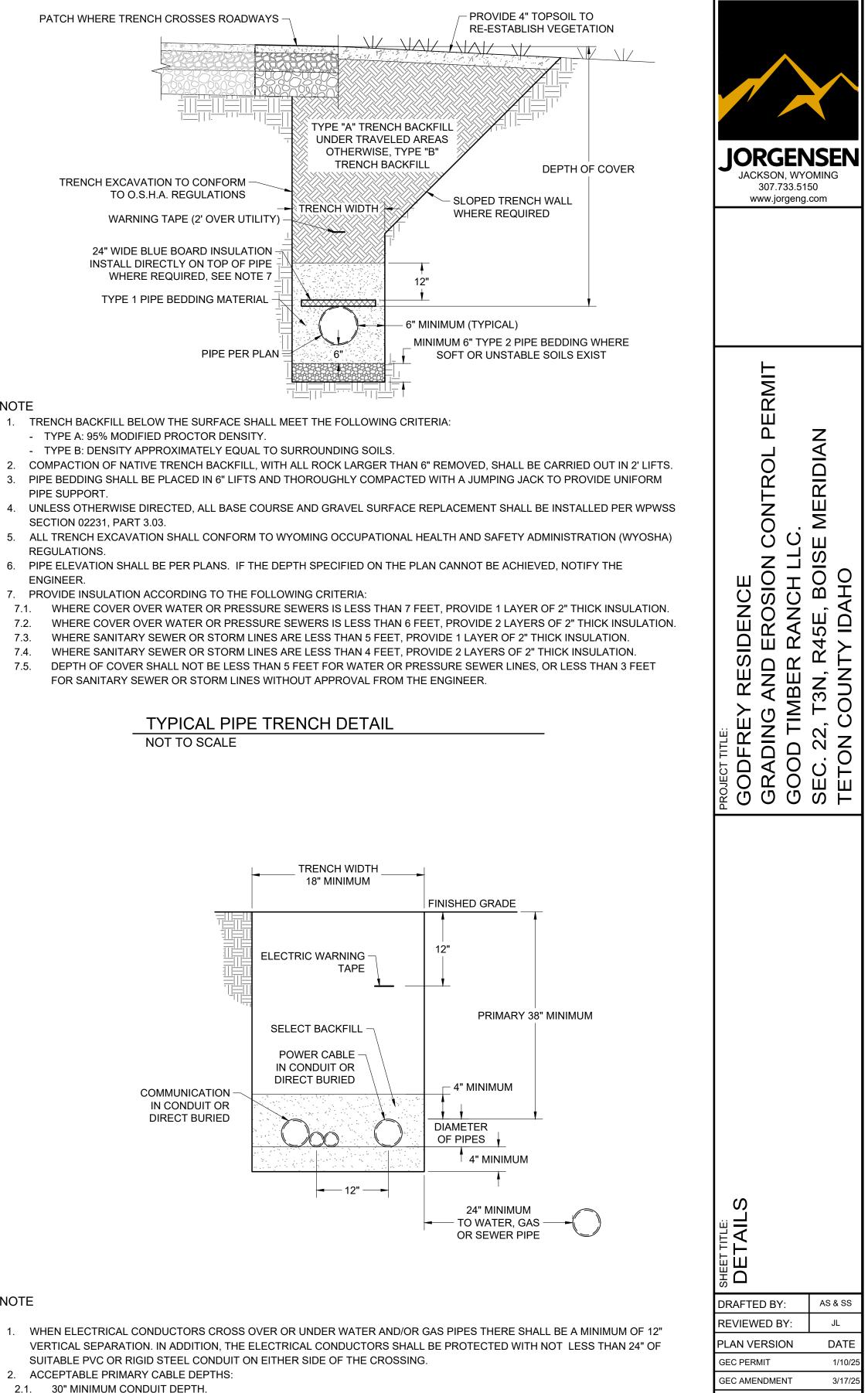
SILT FENCE DETAIL NOT TO SCALE

COMMUNICATION -IN CONDUIT OR DIRECT BURIED

NOTE

- 2. ACCEPTABLE PRIMARY CABLE DEPTHS: 2.1. 30" MINIMUM CONDUIT DEPTH.
- 2.2. 38" MINIMUM OR MORE FORE DIRECT BURIAL DEPTH. 3. CONDUIT REQUIRED IN DEVELOPED OR LANDSCAPED AREA
- 4. JOINT USE TRENCHES CONTACT FALL RIVER ENGINEERING DEPARTMENT.

UTILITY TRE NOT TO SCALE



5. MEMBER INSTALLED CONDUIT MUST BE INSPECTED BY THE STATE OF IDAHO IF DEPTH REQUIREMENTS ARE NOT POSSIBLE, PLEASE CONTACT FALL RIVER ELECTRIC'S ENGINEERING DEPARTMENT FOR ALTERNATIVES.

PROJECT NUMBER

SHEET

21053.43

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Sharon Fox <sfox@tetoncountyidaho.gov>

#### zoning variance hearing comment letter.

**gcollins@wyoming.com** <gcollins@wyoming.com> To: pz@tetoncountyidaho.gov

Thu, May 29, 2025 at 9:12 AM

Dear Teton County P&Z,

This letter is an objection to a proposed zoning variance, at your upcoming hearing.

First, a thank you for your stop work order on Good Timber Ranch and PEI Excavation on the former cattle ranch at the headwaters Teton River at Pole Canyon.

We are still trying to find out how non-compliant Good Timber Ranch was in excavating a proposed, non permitted, 4 acre "Lake Washakie" behind a high risk dam with the Idaho Department of Water Resources, the US Army Corp of Engineers and the United States Clean Water Act. State adjudication is scheduled for October.

It is good to see Good Timber attempting to retroactively comply with County, State and Federal law, but granting a zoning variance is not recommended or needed. Permitting an extra-large dwelling in wetland springs and creeks, when suitable, building sites are more readily available, does not justify a variance.

Thank you.

Sincerely,

Gregory Collins 10435 s 1750 w Victor, ID 83455



#### Fwd: Variance request by Good Timber Ranch

**Brian Maguire** <brianm@vertsolutions.com> To: "pz@tetoncountyidaho.gov" <pz@tetoncountyidaho.gov> Cc: Anna Trentadue <anna@trentaduelawoffice.com> Fri, May 30, 2025 at 12:51 PM

#### Subject: Variance request by Good Timber Ranch

Dear Teton County planning and zoning.

This letter serves as an objection to the variance requested by Good Timber Ranch for the construction of a residential structure.

As neighbors to Good Timber Ranch downstream on Little Warm Creek we are currently suffering ongoing harm and degradation of our property from the un-permitted excavations and redirecting of steam channels that occurred at GTR in July of 2024.

A reduction in the stream flow and excessive discharge of silt into the stream bed have caused a complete collapse of the native trout population that was present on our property prior to the un-permitted activities at GTR last summer. The excessive discharge of silt into the stream channel continues to this day and is promoting abundant algea growth in our pond as well as the stream channel that continues to devalue our property.

Good Timber Ranch has demonstrated a complete disregard for the permitting process in general. They have damaged their neighbor's property and now are asking for further considerations outside of standard setbacks to water courses and wetlands. GTR has proven their method to development is to disregard local and state regulations, build it, then deal with any repercussions or fines after the fact.

Excessive, is the only term that comes to mind with this variance requested. Excessive has been GTR's method from the start by excavating 20 named springs, redirecting 10 named spring creeks, without proper state and county permits in place. Excessive is the excavation work in sensitive Fenn/wetland areas that goes well beyond their allowed permitted zones. Excessive is a proposed 4 acre lake. Excessive is a request to build a 9000 sq ft residence in belween Alder spring Creek and Big Spring Creeks that doesn't meet current setback regulations. Even after both creeks were re channeled illegally without stream redirection permits in place.

This variance would infringe on two damaged spring creeks, Alder spring creek and Big Spring Creek. It would disrupt an additional .89 of an acre of sensitive wetlands. The proposed 10 foot high building platform would continue to discharge silt into the already severely affected water courses that run through adjacent properties.

This variance request would continue to cause harm and degrade property value of the neighbors of Good Timber Ranch. Nor is this variance request in the interest of the general public with additional harm to tributaries of the Teton River and ultimately the Teton River itself.

Regards Brian Maguire

Sent from my iPad



Sharon Fox <sfox@tetoncountyidaho.gov>

#### **Comments on Godfrey residence variance**

Susan Miller <suebemm11@gmail.com> To: pz@tetoncountyidaho.gov Cc: Anna Trentadue <anna@trentaduelawoffice.com> Fri, May 30, 2025 at 5:56 AM

Dear P & Z Commissioners,

I am commenting on the Variance request by Mr. Godfrey for his house, located on Good Timber Ranch outside of Victor. I am a neighbor whose land and farm are adjacent to this property.

I do not wish for this variance to be granted. The wetlands and springs in this area are very special and unique. They are the headwaters of the Teton River! They should not be intruded upon.

Last July, the owners started excavation on a massive Lake which was unpermitted and created a total mess, destroying previously pristine and ecologically intact wetlands. Our group of neighbors subsequently filed a protest with IDWR, which is currently ongoing. Now they want to create more disturbance in this same wetland ecosystem for a house and paved drive, which would lead to further harm of our downstream creeks etc.

Good Timber Ranch has many other acres upon which to locate a house. To do more surface damage by putting in roads and foundations on nearly another acre in the same wetland area is completely unnecessary.

When we built our house and then garage, we carefully measured to see that we were in compliance with county stream setback rules. I don't understand why a variance would be granted in this case, when the county setback rules are completely achievable.

Thank you for your time,

Susan Miller 10435 S 1750 W Victor, ID 83455