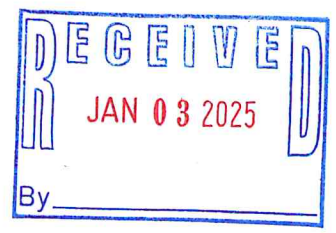


Rose resident

Bingham County Planning and Zoning Commission  
501 North Maple Street  
Blackfoot, Idaho 83221



Subject: Reminder of Responsibilities Regarding Proposed Gravel Pit/Asphalt Plant in a Special Flood Hazard Area (SFHA)

Dear Members of the Bingham County Planning and Zoning Commission,

I am writing to address the proposed gravel pit/asphalt plant development in a Special Flood Hazard Area (SFHA) near the Snake River. In addition to expressing my deep concerns about this proposal, I would like to respectfully remind the Commission of your critical role and responsibilities in safeguarding the community, public health, and the environment.

Your Role as the Planning and Zoning Commission

**Your primary duty, as outlined in Idaho State Code Title 67, Chapter 65 (Local Land Use Planning Act) and local zoning ordinances, is to:**

- 1. Protect Public Health, Safety, and Welfare:**
  - Ensure developments do not pose risks to public health, property, or the natural environment.
  - Prevent increased flood hazards and contamination of public water sources, including the Snake River.
- 2. Enforce Compliance with State and Federal Regulations:**
  - Verify that the applicant has secured all necessary permits:
    - Floodplain Development Permit (Bingham County)
    - Section 404 Permit (U.S. Army Corps of Engineers)
    - IPDES Permit (Idaho Department of Environmental Quality)
  - Compliance with FEMA Region 10 floodplain regulations
  - Ensure that development complies with the Clean Water Act (CWA) and National Flood Insurance Program (NFIP) standards.
- 3. Assess Environmental Impacts Thoroughly:**
  - Require a comprehensive Environmental Assessment (EA) or Environmental Impact Statement (EIS) before making any decisions.
  - Ensure that Hydrology and Hydraulic Studies have been completed and reviewed.
- 4. Act in the Public's Best Interest:**
  - Represent the community's concerns and prioritize long-term environmental sustainability over short-term economic gains.
  - Hold transparent and fair public hearings to ensure citizens' voices are heard and adequately considered.

- 5. Prevent Legal and Financial Liability:**



- Avoid approving developments that could later result in legal challenges or financial liabilities for the county due to negligence in oversight or violation of environmental laws.

#### Concerns Regarding This Project

- **Floodplain Risks:** Developing in an SFHA can exacerbate flooding risks, endanger public safety, and increase the cost of flood insurance for surrounding properties.
- **Environmental Harm:** The potential for sediment runoff, water contamination, and habitat destruction poses serious risks to the Snake River ecosystem.
- **Lack of Permitting Transparency:** There is no publicly available documentation showing compliance with floodplain management laws, FEMA standards, or water quality regulations.

#### Your Responsibility in This Decision

#### **As stewards of responsible development and environmental protection, I urge the Planning and Zoning Commission to:**

1. **Demand Full Transparency:** Require the applicant to present all necessary permits and studies before any decision is made.
2. **Ensure Compliance:** Verify that the project adheres to federal, state, and local environmental laws and floodplain regulations.
3. **Delay or Deny Approval:** If the necessary permits, assessments, or mitigation plans are incomplete or inadequate, delay or deny approval of the application.
4. **Facilitate Public Engagement:** Ensure an open and transparent hearing process where community members can provide input and receive clear answers.

#### Final Thoughts

**This decision is not just about approving a project—it is about protecting public safety, preserving our natural resources, and upholding the trust placed in you by the citizens of Bingham County.**

I trust that each member of this Commission will approach this matter with the seriousness, diligence, and accountability it deserves.

Thank you for your time and your commitment to serving our community responsibly. I look forward to hearing the outcome of your discussions and trust you will make a decision aligned with your duty to protect public welfare and the environment.

Sincerely,  
Tessa McKinlay

#### CC:

- Idaho Department of Environmental Quality (IDEQ)
- Idaho Department of Water Resources (IDWR)
- Federal Emergency Management Agency (FEMA) Region 10
- U.S. Army Corps of Engineers (Walla Walla District)