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Planning and Zoning Commission PUBLIC HEARING STAFF REPORT

Hearing Date: April 2, 2026

Date Report Compiled: March 26, 2026

Agenda Item: Conditional Use Permit with Master Site Plan for Proposed Mayfield Substation and Transmission Lines Project

Applicant: Idaho Power Company

Case Number: CUP-2025-25 with Master Site Plan

County Review Team: Mitra Mehta-Cooper AICP, Contract Planner
Daniel Pauly AICP, Contract Planner
Richard Heisner PE, Contract Electrical Engineer
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Associated Case: DA-2026-03

Zoning Designation: General Agriculture (AG) and Light Industrial/Manufacturing (M1)

Parcel Numbers: RP01S04E010060 and RP01S04E012405 (Substation Site)
RP01S04E223000, RP01S04E156000, RP01S04E155400,
RP01S04E153600, RP01S04E153000, RP01S04E104800,
RP01S04E102400, RP01N04E238410, RP01S04E037250,
RP01S04E037810, RP01S04E030200, RP01S04E031300,
RP01S04E020610, RP01S04E020500, RP01S04E020080,
RP01S04E020060, RP01S04E013000, and RP01N05E310610
(Parcels with Easements for Transmission Lines)

Property Size: 65.62 Acres (Substation Site)

EXECUTIVE SUMMARY:

Idaho Power Company ("Applicant"), with Conditional Use Permit 2025-25 ("CUP"), proposes construction of an electric power substation on two parcels within the General Agricultural (AG) Zoning District and the Wildland Urban Interface (WUI) Overlay in unincorporated Elmore County. The proposal also includes approximately 10 miles of electrical transmission lines in General Agriculture (AG) and Light Industrial/Manufacturing (M1) with Zoning Districts with the Wildland Urban Interface (WUI) Overlay (collectively referred to as "Project").

The Elmore County Zoning and Development Ordinance (“Zoning Ordinance”) classifies the proposed substation as an Energy Production Facility. This use requires a Conditional Use Permit with a Master Site Plan in the AG zone in compliance with Table 7-2-26(B) of the Zoning Ordinance. In addition, the Zoning Ordinance identifies both the substation and transmission lines as Power Distribution Facilities. These facilities require a Conditional Use Permit in all zones under Section 7-2-176(E)(3).

The substation will occupy approximately 66 acres on Parcels RP01S04E010060 and RP01S04E012405 in western Elmore County (“Substation Site”). Beyond the Substation Site, the Project includes new transmission lines that will connect to the substation and extend approximately 10 miles along acquired easements, supported by approximately 85 towers on Parcels RP01S04E223000, RP01S04E156000, RP01S04E155400, RP01S04E153600, RP01S04E153000, RP01S04E104800, RP01S04E102400, RP01N04E238410, RP01S04E037250, RP01S04E037810, RP01S04E030200, RP01S04E031300, RP01S04E020610, RP01S04E020500, RP01S04E020080, RP01S04E020060, RP01S04E013000, and RP01N05E310610 (“Transmission Line Easements”). One segment of transmission line runs west and then south of the Substation Site, crossing Interstate-84 before entering Ada County and connecting to the existing Pleasant Valley Solar Substation. The other segment will be a double-circuit transmission line that will run northeast of the Substation Site, primarily across State lands, connecting with two existing 230 kV transmission lines.

The Applicant has completed the following pre-application actions. These steps satisfy the pre-application requirements outlined in the Zoning Ordinance.

- To initiate the CUP and associated application processes, the Applicant conducted a series Pre-application Meeting with the Director of Land Use and Building Department starting with April 8, 2025, in compliance with Section 7-3-2(A) of the Zoning Ordinance.
- As required by Section 7-3-3 of the Zoning Ordinance, the Applicant sent out meeting notifications on May 7, 2025, and held a Pre-application Neighborhood Meeting on May 19, 2025, to discuss the proposal with property owners within a 1-mile radius of the Substation Site and Parcels with Transmission Line Easements. The Applicant subsequently held two additional Pre-application Neighborhood Meetings on August 4 & 12, 2025 (Exhibit 1b).

On June 17, 2025, the Applicant submitted the CUP Application to the Elmore County Land Use and Building Department and paid the required fees in compliance with Section 7-3-2 (“CUP-2025-25”). The original application materials are included as Exhibit 1a. The application fee was paid on June 24. Staff notes that while meetings satisfying the requirements of Section 7-3-3 occurred prior to the application, the Applicant also held subsequent neighborhood meetings after submission of the application to keep neighbors informed.

A County Review Team—consisting of the Department, Contract Planners Mitra Mehta-Cooper and Daniel Pauly, Electrical Engineer Richard Heiser, and County Engineer Angie Michaels (“Staff”)—reviewed the Application. After an initial discussion with Staff, additional materials were submitted by the Applicant on September 26, 2025 (Exhibit 5c).

As part of the review process, the Department met with affected agencies on September 3, 2025, and November 13, 2025, to discuss the proposal with affected agencies. After completing this initial review, Staff determined that the Application also required a Development Mitigation Agreement to mitigate for some of the social, environmental, and fiscal impacts of the proposed use as allowed in Section 7-10-3 (A) of the Zoning Ordinance and requested documentation for construction traffic and fire mitigation data. On November 14, 2025, Staff issued a Completeness Determination Memo (“Completeness Memo”), requesting these items along with additional information (Exhibit 2). The Applicant responded to the Completeness Memo and submitted the requested supplemental information on December 1, 2025 (Exhibit 5d).

After determining the Application complete, Staff moved forward with a Public Workshop with the Planning and Zoning Commission (“Commission”) on January 22, 2026, to receive their feedback prior to proceeding towards the public hearings (Exhibit 3). The workshop was advertised in the Mountain Home Newspaper on January 7, 2026, and the Substation Site was posted on January 15, 2026. At the workshop, the Commission received reports from County Staff and the Applicant, as well as heard public comment, and offered their feedback on the proposal. Input from the public included ensuring that the exterior wall protects the substation equipment. The Applicant submitted additional information on January 23 and February 20, 2026 (Exhibit 5e).

In order to mitigate for some of the social, economic, and fiscal impacts of the CUP, the Director has requested a Development Mitigation Agreement between the Applicant and the Board of County Commissioners. The Department received the Application and necessary fees on March 6, 2026. Finalization of DA-2026-03 will occur if approval of the CUP is granted.

Today's Public Hearing was noticed in Mountain Home Newspaper on March 18, 2026 (Exhibit 7a). Affected agencies (Exhibit 7b) and neighboring properties within 5-mile radius were notified on March 26, 2026 (Exhibit 7c), and the Substation Site was posted on March 26, 2026. At today's Public Hearing, the Commission will review the CUP-2025-13 with Master Site Plan.

EXHIBITS OF RECORD

The documents and exhibits referenced in the Application record are numbered sequentially. This staff report references the following portions of the Application's record, which are included as Exhibits. The electronic record maintained by the Department is the authoritative source of these Exhibits and shall take precedence if any inconsistencies exist in other paper or otherwise kept or maintained versions of the Exhibits.

1. Application
 - a. CUP-2025-25– June 17, 2025
 - b. Pre-application Neighborhood Meeting Information – June 17, 2025
2. Completeness Determination Memo by Department – November 14, 2025
3. Public Workshop Staff Report Packet and Presentation – January 22, 2026
4. Applicant's Master Site Plan (latest version on which findings and conditions are based) – March 5, 2026
5. Applicant's Narratives

- a. Narrative (submitted with initial application) – June 17, 2025
- b. Response to Staff Comments – September 5, 2025
- c. Amended Narrative – September 26, 2025
- d. Response to Completeness Determination – December 2, 2025
- e. Response to Public Workshop Follow Up – February 20, 2026
6. Applicant's Plans, Drawings, Studies, and Documents
 - a. Transmission Line Easement Information
 - b. Fire Response Plan and Rural Metro Intent to Serve
 - c. Substation Site Cross Sections
 - d. Electrical Yard Plan
 - e. Geotechnical Report
 - f. Drainage Report
 - g. Natural Features Analysis
 - h. Idaho Power Workshop Presentation
 - i. Proposed Construction Schedule
 - j. Security Fence Example
7. Public Hearing Notifications
 - a. Newspaper and Site Post
 - b. Agencies
 - c. Neighborhood
8. Public Comments
 - a. TBD
9. Agency Comments
 - a. Elmore County Ambulance Service and Rescue Financial Impact Mitigation Request
 - b. Elmore County Sheriff's Office Financial Impact Mitigation Request

APPLICABLE ZONING ORDINANCE CHAPTERS FOR DEVELOPMENT REVIEW:

The Substation Site is within the General Agricultural (AG) Zoning District and the Wildland Urban Interface (WUI) Overlay. The Transmission Line Easements traverse both the General Agriculture (AG) and Light Industrial/Manufacturing (M1) Zoning Districts. Therefore, the review of this Application requires compliance with:

- Title 7, Chapters 2, 3, 5, 7, 9, and 10;
- Title 8, Chapter 1; and
- Title 10, Chapters 5, 6, 7, and 8.

Throughout the development review process, Staff and affected agencies have identified the following major issues of consideration for the proposed use as they relate to making the required findings for the aforementioned chapters of the Zoning Ordinance.

Visual Impact

Idaho Power has provided visual simulations and reference photographs illustrating the anticipated appearance of the proposed development, which was discussed at the workshop. The proposal aligns with the type and visual character expected for this remote unincorporated area and conditionally permitted use. No additional visual impact mitigation is deemed necessary or recommended, provided that the Project is constructed in substantial conformance with the submitted simulations and example imagery.

Transmission Line Safety Over I-84

The proposed transmission line will cross Interstate 84, a critical corridor for local, regional and state-wide transportation. Although Idaho Power has not yet finalized its engineering design, the Applicant has confirmed that the crossing will be built to Grade B construction standards as required by the 2023 National Electrical Safety Code (NESC) for crossings over railroads, limited-access highways, and major navigable waterways.

Although I-84 is not a limited-access highway, the Applicant has agreed to build the transmission lines at Grade B, which is the highest level of construction per NESC standards as a result of Staff's concerns. Grade B construction provides a significantly higher margin of safety than Grade C requirements for standard transmission lines by incorporating stronger structures, higher load and strength factors, and increased vertical clearances. These enhanced standards are specifically applied in locations where the consequences of a line failure would pose elevated risks to public safety or disrupt major transportation routes such as Interstate 84.

Construction Traffic/Emergency Services/Development Mitigation Agreement

Elmore County—particularly its law enforcement and emergency response agencies—seeks to fully understand construction-related traffic associated with such large energy producing projects. These projects are unique in that construction activities generate a temporary, but substantial, influx of on-site and off-site workers, materials, and equipment into remote areas that typically experience low service demand. Once operational, these facilities require minimal on-site staffing and produce very little ongoing traffic and emergency service demand.

This temporary increase in construction traffic can increase congestion on rural unimproved roads and elevate the need for law enforcement and emergency medical services (EMS), resulting in higher short-term service demands and costs for the County. Early coordination between the Applicant, Sheriff, Fire, EMS, and the Board of County Commissioners is therefore critical to ensure appropriate staffing, equipment, and funding during construction phase of the Project.

The Applicant has indicated their willingness to contribute the proposal's proportional share toward public safety impacts. The Applicant is required to enter into a Development Mitigation Agreement with the Board of County Commissioners to identify service needs associated with the Project and to contribute its fair share of associated costs, as authorized under Section 7-10-3(A) of the Zoning Ordinance. Idaho Code § 67-6511A and Title 7, Chapter 10 of the Zoning Ordinance govern the creation, form, modification, and enforcement of Development Agreements, which in this case will be used to define the mitigation measures that cannot be addressed solely through conditions of approval. Final contributions for EMS and Sheriff will be negotiated and approved through this agreement process. Although their initial requests are provided as Exhibit 9a and 9b.

As noted previously, the project will also require transmission line construction across a segment of I-84. Conditions of approval will ensure adequate planning and local agency coordination for any necessary closures or lane restrictions during construction and operation phase of the Project.

Impacts on Hillsides and Drainage

The Applicant proposes to construct a large, graded pad for the Substation Site on terrain that is not currently level. According to the Shannon & Wilson Geotechnical Report submitted with the Application, included as Exhibit 6e, site grading will require cuts of up to 15 feet and fills of approximately 10 feet. Although the draft grading plan lacks consistent contour labeling, existing elevations range from approximately 3,425 feet above sea level at the northeast corner along Baseline Road to about 3,382 feet at the western edge, resulting in a 43-foot elevation change. The finished substation pad will be graded to sit roughly 10 feet above the western boundary.

An intermittent stream channel, Sand Hollow Creek, enters the north-central portion of the Substation Site at around 3,396 feet and exits near the western boundary at approximately 3,382 feet. The Applicant proposes to reroute this channel around the perimeter of the property before reconnecting it to the existing drainage at the Substation Site's low point. The Applicant has submitted preliminary grading and drainage plans, included as Exhibit 6f, which the County Engineer has reviewed and preliminarily approved. A final review, as required in the conditions, will occur once the design is completed and prior to the start of construction.

Within the topography of the broader project area—particularly north of Interstate 84—portions of the approximately 85 transmission towers and associated foundation pads are expected to be located on hillside terrain. As engineering design progresses, detailed information on grading, stability, and hillside impacts will be required to be approved by the County Engineer prior to any tower construction.

Fire Response Plan for Substation

An adequate fire response plan is a critical component of any proposed electrical substation, given the potential risks associated with high-voltage equipment and the proximity of critical infrastructure and surrounding land uses. A well-developed plan helps ensure quick identification, containment, and suppression of fires, minimizing risks to emergency responders and the public, reducing damage to utility assets, and preventing the spread of fire to adjacent properties or wildland areas.

The Site lies within a Wildfire Urban Interface (WUI) overlay as defined in the Zoning Ordinance and is not located within a fire district. Idaho Power has indicated that they are working with Rural Metro, a Private Fire Response Team, to arrange for the Site to be serviced from Rural Metro's Mayfield Springs facility (Exhibit 6b). This agreement has not been finalized. While Staff concurs this is the most reasonable path to pursue to provide fire protection for the Site, if an agreement with Rural Metro does not come to fruition prior to construction, that Idaho Power would have to return to the Commission with an alternative fire protection plan to provide fire protection at a similar level as would be provided by Rural Metro and in compliance with Title 8, Chapter 1, of the Zoning Ordinance.

The Applicant has provided and established wildfire-prevention and response protocols, included as Exhibit 6b, including vegetation-management practices, routine facility inspections, and the ability to remotely de-energize lines during periods of elevated wildfire risk. Idaho Power states that they have a limited history of infrastructure-related

wildfire events, and those occurrences have typically been in steep, forested terrain rather than the low-fuel, low-relief conditions present in the project area. With implementation of Idaho Power's existing inspection, maintenance, and operational protocols, and conditions of approval wildfire risk is minimized.

11 Required Findings for Conditional Use Permits Pursuant to Section 7-9-7(A)

- 1. The proposed use shall, in fact constitute a Conditional Use as determined in Ordinance Table 7-2-26 (B), Elmore County Land Use Table, as contained in this Ordinance;**

Staff Response:

The Zoning Ordinance classifies the proposed substation as an Energy Production Facility. This use requires a Conditional Use Permit with a Master Site Plan in the AG zone in compliance with Table 7-2-26(B) of the Zoning Ordinance. In addition, the Zoning Ordinance identifies both the substation and transmission lines as Power Distribution Facilities. These facilities also require a Conditional Use Permit in all zones under Section 7-2-176(E)(3).

- 2. The proposed use shall be in harmony with and in accordance with the Comprehensive Plan and this Ordinance;**

Staff Response:

Comprehensive Plan:

The Future Land Use Map (Map #4) in Chapter 5 – Land Use of the 2014 Comprehensive Plan designates the Substation Site as AG and the route of the transmission lines as a combination of AG and M-1. The AG designation applies to agricultural lands, and the M-1 designation applies to light industrial and manufacturing lands. Infrastructure such as the proposed substation and transmission lines are found across various planned land uses in the County, including the subject land use designations. Such infrastructure supports existing and future while allowing surrounding land to be developed according to the Comprehensive Plan designations.

In addition, the Comprehensive Plan establishes several objectives and considerations regarding power and electrical infrastructure within the County. A primary objective identified in the Comprehensive Plan is to enhance the electrical system and its capacity, for ensuring adequate energy to support economic and community development (Chapter 4, Economic Development Objective 12), and to work with Idaho Power in promoting the development of energy services and facilities to meet public needs (Chapter 8, Public Services, Facilities, and Utilities Objective 1).

The Comprehensive Plan emphasizes encouraging the use of renewable energy resources and ensuring the multiple-use capability of utility corridors. For long-range planning, the development of electrical infrastructure is detailed in the Eastern Treasure Valley Electrical Plan (ETVEP), last updated in 2024, which provides conceptual locations for future infrastructure. ETVEP is a conceptual plan and not regulatory. The proposed substation and lines to the northeast are consistent with the

conceptual plan to support emerging energy demands of the region. The alignment between the proposed substation and the Pleasant Valley Solar Substation is not shown in the 2024 plan. Regardless of its presence in the ETVEP, any new or upgraded transmission lines and substations still require jurisdictional approval and public siting processes as is being performed by this CUP review.

Overall, the proposed substation and transmission lines create a critical hub and connections to deliver electricity more efficiently and reliably to users in the County in support of ensuring adequate energy for economic and community development. Additionally, the proposed use functions in supporting the growing renewable wind and solar projects in the County.

Zoning Ordinance:

The applicable portions of the Zoning Ordinance include Title 7, Chapters 2, 3, 5, 6, 7, 9 and 10; Title 8, Chapter 1; and Title 10, Chapters 5, 6, 7, and 8. Discussion of each is included below:

- **Title 7, Chapter 2:** See Findings 1 and 3.
- **Title 7 Chapter 3:** The Application has followed the procedural requirements of Chapter 3.
- **Title 7 Chapter 5:** Construction of the flat pad for substation infrastructure will involve cut and fill with slopes exceeding 15%, requiring a Hillside Permit for the Substation Site. The Applicant has not provided information on potential grading related to transmission tower installation. All grading related to transmission towers that impact or create slopes greater than 15% must undergo County review pursuant to this Chapter. Condition of Approval #11 ensures all necessary Hillside Permits will be obtained for both the Substation Site and transmission towers.
- **Title 7 Chapter 6:** Sufficient information on lighting has not yet been submitted but will be required by Condition of Approval #22.
- **Title 7 Chapter 7:** No sign information is included in the submitted material. It is understood the Applicant will apply for and the Department will review all non-exempt signs on the Substation Site for compliance with Chapter 7.
- **Title 7 Chapter 9:** See Findings 1-11 for compliance with Conditional Use Permit requirements.
- **Title 7, Chapter 10:** A Development Mitigation Agreement (DA) with the Board of County Commissioners is required by Condition of Approval #2. The required DA will address social, economic, and environmental impacts throughout the lifecycle of the development including during construction and operation.
- **Title 8, Chapter 1:** With the Project within the WUI overlay, special attention is being paid to fire prevention and protection as can be seen in Finding 8.
- **Title 10:** See Master Site Plan findings. No land divisions are proposed. In addition, in regard to Chapter 5, there are no private roads proposed, requiring County review, unless any are necessary for the transmission line in the future, which would require an independent Private Road Permit from the County.

3. The proposed use complies with the purpose statement of the applicable base zone of Ordinance Section 7-2-5 and with the specific use standards as set forth in this Chapter;

Staff Response:

The proposed substation is within the Ag Zoning District. The proposed transmission lines are in the Ag Zoning District north of Interstate 84 and in the M1 Zoning District south of Interstate 84.

The Zoning Ordinance provides the purpose statement for the Ag Zoning District in Section 7-2-5 (A), stating:

The purpose of the Ag district is to preserve and protect the supply of agriculture and grazing land in Elmore County until development is appropriate. This district will also control the infiltration of urban development and other uses into agriculture areas, which will adversely affect agricultural operations. Uses that are compatible with farming, ranching, grazing, forest products, and limited mining may be considered in this district. Residential land use is allowed in the Ag zone subject to site development standards and compatibility with agricultural operations. The "Ag" land use designation is the base zone throughout Elmore County. It contains areas of productive irrigated croplands, grazing lands, forestland, mining lands, public lands as well as rangeland and ground of lesser agricultural value.

The substation has limited impact on surrounding agriculture in terms of traffic or other conflicts. Most agriculture uses can continue within the new transmission line easements. A number of other electric substations and many miles of transmission lines exist across Agriculture land in Elmore County and have not created major conflicts.

The Zoning Ordinance provides the purpose statement for the Light Industrial/Manufacturing (M1) Zone in Section 7-2-5 (F), stating:

The purpose of the M1 district is to provide for commercial and light industrial development and opportunities for employment of Elmore County citizens and area residents and reduce the need to commute to neighboring cities. The M1 district will encourage the development of manufacturing, wholesale, and distribution establishments which are clean, quiet, and free of hazardous or objectionable elements, such as noise, odor, dust, smoke, or glare and that are operated entirely or almost entirely within enclosed structures or fenced yards; to delineate areas best suited for industrial development because of location, topography, existing facilities, and relationship to other land uses. Uses within the M1 district require reasonable access to arterial roadways. Land uses in this category may require a mix of commercial or light industrial uses that consists of clean types of manufacturing, processing, warehousing, repair and general industrial uses.

The transmission lines will not preclude the currently undeveloped M1-zoned area from developing with other uses allowed in the M1 zone. And all future uses including those industrial and manufacturing uses allowed in M-1 zone will require electricity, network, and redundancy to operate seamlessly in the County.

The following Specific Use Standards are applicable for the proposed use:

Required Findings for Public or Quasi-Public Use - Power Distribution Facilities - Per Section 7-2-176 (E):

1. *Electric distribution lines shall be principal permitted uses.*

Staff Response:

The proposed use is not a distribution line.

2. *Electric sub transmission lines shall be principal permitted uses.*

Staff Response:

The proposed use is not a sub-transmission line.

3. *Electric transmission lines and substations shall require conditional use approval.*

Staff Response:

The proposed CUP-2025-25 application is required to comply with this finding.

4. *All electric transmission, sub transmission, and distribution line rights of way shall be exempt from the landscaping regulations of this Ordinance.*

Staff Response:

The proposed Conditions of Approval for CUP-2025-25 does not require the Applicant to provide any landscaping in the transmission line easements.

5. *Electric substations and other utility structures shall be deemed outdoor storage areas and shall meet the standards in this Ordinance.*

Staff Response:

CUP-2025-25 is reviewed for compliance with Section 7-2-25 as discussed in the following findings.

6. *Towers for the purpose of communicating from the substation to remote devices shall be deemed an accessory use to an approved substation, provided that the pole and antenna are no taller than the existing towers.*

Staff Response:

The proposed CUP-2025-25 is not proposing communication towers.

7. *All wire fences, metal structures, and metal objects shall be grounded as required by this Title.*

Staff Response:

The proposed Conditions of Approval # 29 for CUP-2025-25 addresses this matter.

Required Findings for Outdoor Storage Per Section 7-2-25:

- A. *All outdoor storage shall comply with the requirements of this Ordinance.*

Staff Response:

The record for CUP-2025-25, this staff report, and conditions of approval, address this finding.

B. Manufactured homes shall not be stored within the required yards. Storage of a manufactured home shall be considered outdoor storage and shall only be stored in outdoor storage areas that comply with this Ordinance.

Staff Response:

No manufactured homes are proposed with CUP-2025-25.

C. Outdoor storage areas shall not be used for the storage of junk, a "junkyard" or "automobile wrecking yard" as herein defined in this Ordinance.

Staff Response:

The proposed Condition of Approval #35 addresses this concern.

D. All outdoor storage shall comply with the flood hazard overlay as set forth in this Ordinance.

Staff Response:

The proposed Condition of Approval #12 addresses this requirement.

Required Findings for Energy Production Facilities Per Section 7-2-106:

A. Additional general standards or requirements for this use.

7-2-106 (A)(1) Prior to receiving final approval and zoning approval, the owner or operator of an Energy Production Facility shall show compliance with all applicable Idaho Public Utility and Federal Agency rules and regulations and shall operate the facility in conformance with those same regulations.

Staff Response:

The Project commits to meeting State and Federal agency requirements, which is further assured by Condition of Approval #39.

7-2-106 (A)(2) Facility improvements shall be at least two thousand five hundred (2,500') feet away from any existing residential dwelling at the time of the application for permit. This distance shall be measured from the centerline of the main power production turbine (support equipment, outbuildings, offices, etc. shall be excluded) to the closest edge of the residence.

Staff Response:

Although this standard is applicable to the proposed substation because the substation meets the Ordinance's definition of Energy Production Facility, this standard does not functionally apply because the 2500 feet is measured only from "the main power production turbine" and no turbine is proposed. With no turbine there is no need to measure the required distance. Several existing residences are within 2500 feet of the Substation Site boundary including those at: 650 S Prairie Grass Drive, 730 S Prairie Grass Drive, 731 S Prairied Grass Drive, 752 S Prairie Grass Drive, 753 S Prairie Grass Drive, 919 E Baseline Road, and 921 E Baseline

Road. Condition of Approval #18 is proposed to mitigate for any construction related noise impacts to these residents.

7-2-106 (A)(3) The applicant shall demonstrate and maintain an adequate fire protection and firefighting capacity, including entering into an agreement with a public firefighting agency when the applicant's project is within the jurisdiction of such an agency.

Staff Response:

The Substation or Transmission Lines are not located within an Existing Fire Protection District. As discussed in the Application materials, adequate fire protection will be ensured through conditions of approval, which require the Applicant to provide written verification, prior to issuance of any construction or building permit, that Rural Metro Fire or another comparable fire-service provider will furnish fire protection to the Substation Site beginning at the start of construction and continuing through project operation. Condition of Approval #21 is proposed to ensure that this finding is met.

7-2-106 (A)(4) Operation of the facility shall not result in any noise louder than 58 decibels on the A-weighted decibel scale as measured from 750 feet from the centerline of the power producing turbine. A higher decibel reading would require a variance unless the Commission grants a noise waiver. The Commission may grant a noise waiver provided the owner(s) of all affected property waive in writing the 58Db noise requirement.

Staff Response:

There is no power producing turbine from which to measure the noise, therefore this 58Db requirement does not apply. Condition of Approval #18 is added to understand and mitigate any construction related noise.

7-2-106 (A)(6) The applicant, with its building permit application, shall submit and therefore follow a landscaping, screening and noise control plan to comply with section 4 above. The plan's ability to comply with section 4 shall be certified by a licensed engineer employed by the applicant. All improvements on the facility shall be enclosed by an appropriate security fence

Staff Response:

Due to the remote and rural character of the Substation Site, landscaping or screening requirements are not enforced.

7-2-106 (A)(5) The Administrator shall cause the applicant to provide information detailing possible adverse impacts and require mitigation of same.

Staff Response:

Based on the application materials, supplemental information, and Application analysis, the following potential adverse impacts have been identified by Staff and corresponding mitigation have been discussed.

Visual Impacts:

The proposed transmission facilities consist of poles and conductors standard for the voltage class of the line. No additional visual-impact mitigation is practical or warranted for the transmission corridor. At the Substation Site, the Applicant proposes installation of a decorative concrete perimeter wall that provides effective screening of substation equipment. With this measure incorporated, the visual impacts are adequately mitigated and no further mitigation is required.

Wildfire Risk:

Wildfire ignition from downed powerlines represents a potential adverse impact. The Applicant has submitted its wildfire-prevention and response protocols, which include vegetation-management practices, routine inspections, and operational capability to remotely de-energize lines during elevated-risk conditions. At the Substation Site, the Applicant will maintain a contractual relationship with a fire-service provider to ensure prompt response capability. Idaho Power has a comparatively limited history of infrastructure-related wildfire events, which typically occur in steep, forested terrain unlike the relatively low-fuel, low-topography of the Project area. With adherence to Idaho Power's established inspection, maintenance, and de-energizing protocols, wildfire risk is minimized, and additional mitigation measures will be discussed through development mitigation agreement.

Public Services and Construction-Related Impacts:

Construction activity associated with the project will create short-term increases in demand for public services. Without appropriate planning, these increased demands could result in adverse impacts. To mitigate these effects, the County will require implementation of the Development Mitigation Agreement DA-2026-03, as detailed elsewhere in these findings, ensuring the Applicant provides proportional mitigation for public-service impacts generated by the project.

7-2-106 (A)(7) Before zoning approval is granted, the applicant shall hold at least two (2) public meetings. Notice of those meetings shall be by publication in local newspaper and by mail to property owners within one (1) mile of the proposed facility.

Staff Response:

As record shows, the Department has held a public workshop and public hearing for CUP-2025-25 on behalf of the Applicant, which was advertised in the local newspaper and property owners were notified. The Applicant has held a total of four (4) pre-application and post-application public meetings.

7-2-106 (A)(8) Public notification shall be increased at the discretion of the Director to accommodate notification for all potential impacts.

Staff Response:

The Applicant held the required public meetings, and no special notice increase has been deemed necessary by the Director.

4. The proposed use shall comply with all applicable County Ordinances;

Staff Response:

Compliance with the Zoning Ordinance, Titles 7, 8, and 10 is discussed in Finding 2 above. Other Zoning Ordinance Titles including Title 9, Building Regulations, will be reviewed separately as the development continues on the Substation Site and within the Transmission Line Easements, and nothing in the approval of the CUP acts in lieu of building permits or prevents the ability to apply Building Regulations. The Proposal was discussed with affected agencies, including County departments, on September 3, 2025 and the notice of this hearing was sent to the following County agencies to ensure compliance with their Ordinances:

- Elmore County Assessor
- Elmore Ambulance Services
- Elmore County Engineer
- Elmore County Sheriff
- Elmore County Surveyor
- City of Mountain Home
- Mountain Home Highway District
- Oasis Fire Protection District

Their comments are incorporated as Conditions of Approval for the proposal. This CUP does not override any County Ordinance or prevent the County from ensuring compliance with any Ordinance not herein identified.

5. The proposed use shall comply with all applicable State and Federal laws, rules and/or regulations;

Staff Response:

The proposed use was discussed with affected agencies on September 3, 2025, and coordination will continue as needed with State and Federal agencies. Prior to accepting the Application, the Department had requested the Applicant to work with Idaho National Guard to ensure that the proposed transmission lines would not conflict with any of their operations south of I-84. Comments and concerns from these agencies are incorporated into the Staff's review of the Application and recommendation to the Commission and are further assured by Condition of Approval #39. Additionally, the following state and federal agencies were notified for today's public hearing:

- Department of Environmental Quality
- Idaho Department of Fish and Game
- Central District Health
- Idaho Department of Lands
- Idaho Power
- Idaho Department of Water Resources
- State Fire Marshall
- Idaho State Historic Preservation Office
- Office of Energy and Mineral Resources
- Union Pacific Railroad
- US Fish and Game
- Environmental Protection Agency
- Federal Emergency Management Agency

- Idaho Army National Guard

- 6. The proposed use shall be designed, constructed, operated, and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity; and that such use shall not change the essential character of said area;**

Staff Response:

Electrical infrastructure for distribution and storage is found across the County in various zones to support the power needs of the surrounding area and broader region. These facilities are critical to sustaining and enabling growth and development in Elmore County, including planned residential communities and future industrial uses in areas such as the Simco Road District. Reliable electrical infrastructure ensures that new development can occur without constraints on energy availability, which is essential for economic vitality and long-term planning objectives.

The Applicant has submitted visual simulations and example photos demonstrating the expected appearance of the proposed development. The proposal is consistent with the type and visual character anticipated for this remote area and conditionally permitted use and no additional visual mitigation is required, provided the project is constructed in substantial conformance with the submitted visualizations and example photos. Therefore, Staff concludes that the proposed use will be designed, constructed, operated, and maintained in such a way as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the proposed use will not change the essential character of this remote area.

- 7. The proposed use shall not be hazardous or disturbing to existing neighboring uses or impede their normal development;**

Staff Response:

Neighboring uses near the Substation Site include rural residential and agricultural uses. Future planned communities and industrial areas along the Simco Road corridor will also need additional power infrastructure. The proposed transmission line corridor will cross several rural residential parcels before extending over agricultural and vacant land.

Construction will significantly increase traffic in the area. Condition of Approval #19 requires a clear construction management plan that addresses trip routing to the Substation Site, designates worker parking areas, identifies delivery locations, and provides traffic mitigation measures. Similar traffic planning will be required for transmission line construction, as needed.

Construction activities, particularly grading, can generate dust. The Applicant's contractors must implement dust control and erosion prevention measures—such as water trucks and sediment barriers—to minimize airborne particulates and prevent sediment from entering existing drainages and waterways. Conditions will be placed to ensure that the construction activities are in compliance with State regulations.

Once construction is complete, traffic impacts will be minimal.

Another potential neighbor-disturbing impact identified by the Department is visual impact of both the Substation Site and transmission lines. The Applicant has submitted visual simulations and example photos demonstrating the expected appearance of the proposed development. The proposal is consistent with the type and visual character anticipated for this conditionally permitted use, and no additional visual mitigation is required provided that the project is constructed in substantial conformance with the submitted visualizations and example photos.

All transmission lines will be built to industry standards, including enhanced standards over Interstate 84. Adherence to these standards and standard maintenance reduces risk to neighboring properties.

- 8. The proposed use shall be served adequately by available public facilities and services such as highways, streets, police protections, fire protection, drainage structures, refuse disposal, water, sewer, or that the person responsible for the establishment of the proposed conditional use shall be able to provide adequately any such services;**

Staff Response:

Highways and Streets

While long-term operations of the substation and transmission lines will not generate noticeable traffic, construction will create a temporary increase from contractor vehicles, heavy delivery trucks, and construction equipment. This increase will be noticeable on local roads that are sparsely used. The Applicant will need to direct their contractor to avoid blocking or delaying local traffic. When necessary, flagging should be implemented, and neighbors should receive clear communication regarding temporary closures or delays for deliveries, utility work, or other construction activities.

The proposed transmission lines will cross a portion of I-84. Careful coordination is required to manage traffic impacts during construction over the interstate. Condition of Approval #24 requires plans to be developed and coordinated with ITD, Mountain Home Highway District, and the County emergency responders.

Police Protection and Emergency Response

Police protection and emergency response need to be considered both during construction and operations.

Construction-related activity for a major infrastructure project of this scale will increase demand for law enforcement activities of the Sheriff's office and emergency medical services (EMS) over the approximately two-year construction period. The Applicant has not provided precise worker, traffic, or activity counts, noting these will vary based on the selected contractor and construction methods.

To estimate potential impacts, Staff reviewed publicly-available information for comparable substation projects' California Environmental Quality Act and National Environmental Protection Act analyses. Major substations constructed as part of California's Sunrise Powerlink Project estimated 100–200 workers at peak. Because the Mayfield Substation Site is on the larger end of similar projects, Staff is making an

assumption of a peak of 140–180 construction workers for Substation Site. Final impact estimates may be adjusted once the Applicant selects contractors and provides updated schedules, workforce estimates, and traffic information. Although construction activity will temporarily increase on-site workforce and traffic, the number of anticipated calls for service remains unknown at this time.

Once the Project enters the operations phase, traffic and on-site activity will be minimal due to the very small number of employees needed for routine substation functions. The facility's 11-foot perimeter wall provides a high level of security and significantly reduces the potential for vandalism or other criminal activity. As a result, long-term operations are expected to generate only minimal EMS or law-enforcement calls, representing a negligible and ongoing demand on County public safety services.

The Applicant is negotiating with Elmore County Ambulance Service/Rescue to contribute funding for rescue equipment and the ambulance build fund. The contribution amount will be finalized between the Applicant and the Board of County Commissioners as part of the required Development Mitigation Agreement.

A similar negotiation is occurring with the Elmore County Sheriff's Office. As with EMS, the final amount will be established through the Development Mitigation Agreement.

Considering the expected call volume during construction and operations, combined with the Applicant's commitment to contribute to the cost of EMS and law-enforcement personnel and equipment through a Development Mitigation Agreement, the evidence supports a finding that the proposed development will be adequately served by emergency services and law enforcement (Exhibit 9a & 9b).

Fire Protection

A comprehensive fire response plan is critical for the proposed electrical substation due to the risks associated with high-voltage equipment and proximity to flammable vegetation. Adequate fire protection will be ensured through Conditions of Approval #21, which require the Applicant to provide written verification prior to any Site improvement or building permit, that Rural Metro Fire or another comparable fire-service provider will furnish fire protection to the Substation Site beginning at the start of construction and continuing through project operation.

Drainage Structures

As discussed elsewhere in this report, requirements and measures are in place through conditions of approval to ensure appropriate drainage for the Substation Site and additional evaluation as designs are finalized for transmission towers.

Refuse Disposal

The Applicant will be responsible for disposing of refuse generated during construction and during operation of the Substation Site. No concerns regarding refuse disposal have been identified that would affect the Master Site Plan or Project feasibility.

Water and Sewer

The Applicant intends to establish a domestic well and septic system for the Substation Site after obtaining the appropriate permits from Central District Health. If these permits cannot be secured, the Substation Site has sufficient area to

accommodate water delivery and sanitary services that are pumped and removed off-site on a regular basis.

- 9. The proposed use shall not create excessive additional requirements at public cost for public facilities and services and the proposed use shall not be detrimental to the economic welfare of the County;**

Staff Response:

During construction, temporary increases in vehicle traffic and on-site activity will elevate demand for law enforcement and EMS services beyond existing levels. The Applicant has not provided specific worker counts or traffic estimates, noting these will vary by contractor and construction approach. Therefore, Staff relied on publicly available data from comparable large-scale substation projects, to make an assumption of 140–180 workers at peak construction. Final impact estimates may be refined once the Applicant selects contractors and provides more detailed schedules and activity levels. Variations in actual worker counts within a margin of +/- 50 workers would not materially alter these projections.

Once the project enters the operations phase, traffic and on-site activity will be minimal due to the very low number of on-site employees required for routine substation operations. The facility's 11-foot perimeter wall will enhance security and significantly reduce the likelihood of vandalism or other criminal activity. As a result, long-term operations are expected to generate only minimal calls for EMS or law enforcement, representing a negligible and sustainable demand on County public safety services.

The Applicant will contribute to construction and operational service cost. The contribution amount will be finalized between the Applicant and the Board of County Commissioners as part of the required Development Mitigation Agreement.

Considering the expected call volume during construction and operations, combined with the Applicant's commitment to contribute to the cost of EMS and law-enforcement personnel and equipment through a Development Mitigation Agreement, the evidence supports a finding that the proposed development will not create additional excessive or un-funded public costs.

- 10. The proposed use shall not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;**

Staff Response:

No exhaust or air pollution is anticipated from the proposed use. Power transformers do produce noise, but no information indicates the noise would be excessive to the extent of being detrimental to any person or property or the general welfare of the County. Condition of Approval #18 is proposed to address this concern. No additional smoke, fumes, glare, or odors are anticipated from the use. Vehicle traffic will be minimal, except during construction, when, pursuant to Condition of Approval #19, the Applicant will be required to implement a traffic control plan.

11. The proposed use shall not result in the destruction, loss or damage of a natural or scenic feature of major importance.

Staff Response:

While the proposal is to reroute Sand Hallow Creek, a minor intermittent drainage channel, it is not a natural or scenic feature of major importance, and the watercourse will continue above and below the Project. Condition of Approval #26 ensures that the proposed use will not result in destruction of this creek. Otherwise, no natural or scenic features of major importance exists at the Site.

4 Required Findings for Master Site Plan Pursuant to 10-6-7(A)

1. The Master Site Plan complies with the applicable Comprehensive Plan; and

Staff Response:

Please refer to Finding 7-9-7(A)2, above, which discusses compliance with the Comprehensive Plan.

2. When applicable, the master site plan complies with Section 10-6-4 General Required Standards; in regard to:

A. Location of Structures on the Site; and

Staff Response:

Structures are positioned to ensure security, reduce fire risk, and meet operational requirements. Most standards in this subsection apply to residential development and are not relevant to this Application.

B. Non-Vehicular Access and Internal Circulation;

Staff Response:

Due to the nature of this and similar energy facilities, to ensure safety, no public non-vehicular access is permitted to the Substation Site. Any on-site employees or authorized visitors to the Substation Site that arrive in a vehicle and walk the Site, will wear safety gear as required and otherwise follow safety protocols. No specific non-vehicular and internal circulation is required for the transmission line towers, with minimal access established by Idaho Power Employees for maintenance.

C. Automobile Access and Internal Circulation:

Staff Response:

Once operational, vehicle access to the Substation Site will be limited to operations and maintenance staff. No concerns have been identified regarding site access or internal circulation. Idaho Power will maintain standard access to transmission line towers for routine maintenance and emergency access.

D. Additional Off-street Parking Design Standards.

Staff Response:

Adequate unmarked parking will be provided on gravel, consistent with other power substations in Elmore County as required in Condition of Approval #23. No parking is required for transmission lines.

3. The applicant has submitted a natural features analysis compliant with section 10-6-5 indicating that the proposed development and master site plan sufficiently address:

a. Any natural constraints detected or observed; and

Staff Response:

The Applicant submitted a natural features analysis (Exhibit 6g) for the Substation Site on January 21, 2026. The report identifies no known occurrences of Slickspot Peppergrass and no critical habitat for protected species, including Suckley's Cuckoo Bumble Bees and Monarch Butterflies. Condition of Approval #25 requires additional natural features analysis for all transmission tower locations prior to construction. Condition of Approval #20 also ensures that surveys for active bird nests are completed before any construction activity begins. During a visit to the Substation Site on March 10, 2026, Staff observed an adult falcon taking flight from the ground level confirming potential presence of nesting on the Substation Site.

Sand Hollow Creek crosses the Substation Site, and construction of the equipment pad will require the drainage to be either piped or redirected. The Applicant has worked with the County Engineer on a drainage design along the edge of the Substation Site that redirects the creek while maintaining capacity and avoiding downstream impacts. Although the County Engineer finds the preliminary design acceptable, final capacity analysis will occur during the grading permit review. This review will confirm that the proposed box culverts do not unduly reduce flow capacity and that appropriate erosion control measures are incorporated to prevent bank erosion where the creek reenters the natural channel.

Construction of the flat pad for substation infrastructure will require cut and fill resulting in slopes exceeding 15%, triggering the need for a Hillside Permit for the Substation Site. The Applicant has not yet provided information regarding potential impacts associated with transmission tower installation; however, any disturbance to natural drainageways or hillsides along the corridor will require County review, and Condition of Approval # 11 ensures this occurs. While no specific soil stability concerns have been identified, Condition of Approval # 17 requires the Applicant to submit final geotechnical information for review to verify that all substation improvements and transmission structures are supported by stable foundations.

b. Historical and Cultural Resources; and

Staff Response:

The Applicant's natural features analysis (Exhibit 6g) concludes that the Substation Site is unlikely to contain cultural resources due to the absence of characteristics—such as reliable water sources, lithic procurement areas, or historic mining activity—that would have supported precontact or historic use. No cultural or historic resources on the Substation Site are identified in either the Idaho Cultural Resources Information System or the National Register of Historic Places. In

addition to the required natural resource analysis for transmission tower locations, potential historic and cultural resources at those sites will also be evaluated. Condition of Approval #27 further requires that construction activities be halted and reported if any artifacts or cultural materials are encountered during ground-disturbing work.

c. Sensitive Plant and Wildlife Species; and

Staff Response:

The Applicant submitted a natural features analysis (Exhibit 6g) for the Substation Site on January 21, 2026. The report is discussed in more detail under Section 10-6-7 (A) 3a above. Condition of Approval # 25 requires additional natural resource analysis for all transmission tower locations prior to construction. Condition of Approval #20 also ensures that surveys for active bird nests are completed before any construction activity begins.

d. Any impacts on Natural Features

Staff Response:

See discussion under a. above regarding impacts on natural drainage and topography.

4. The master site plan complies with section 10-6-6 Other required standards; in regard to:

a. Screening; and

Staff Response:

The Substation Site will have an eleven-foot screening wall. No screening is proposed or required for the transmission line and towers.

b. Drainage; and

Staff Response:

Drainage associated with the Project will be managed on the Substation Site and will not increase off-site discharge beyond pre-development conditions. Sand Hollow Creek traverses the Substation Site, and construction of the equipment pad will require the creek to be either piped or redirected. The Applicant has coordinated with the County Engineer on a preliminary drainage design that shifts the creek alignment along the edge of the Substation Site while maintaining hydraulic capacity and avoiding downstream impacts.

The County Engineer has determined that the preliminary design is acceptable for land-use approval; however, final capacity verification and engineering detail will occur during the grading-permit review as required in Condition of Approval #11. At that stage, the County will confirm that the proposed box culverts do not reduce flow capacity below required levels and that appropriate erosion-control measures are incorporated, particularly at the point where redirected flow returns to the natural channel. With these design requirements and review steps in place, drainage-related impacts are adequately addressed.

c. Water Supply and Sewage Disposal; and

Staff Response:

The Applicant has indicated plans to construct an individual well and septic system on the Substation Site, which would be feasible for the amount of water anticipated. Sufficient space exists on the Substation Site for the installation, including a septic field, which will be required to be identified prior to building permit.

d. Filling, Excavation, and Earthmoving; and

Staff Response:

Condition of Approval #32 ensures disturbed areas are revegetated, and standard erosion control measures are implemented during construction to ensure sediment does not leave the Substation Site.

e. Irrigation Services and Delivery Systems; and

Staff Response:

The proposal does not involve modifications to existing irrigation canals or ditches. Landscape irrigation is neither planned nor required.

f. Utilities; and

Staff Response:

The Master Site Plan does not show on-site utilities. It is understood and is required as Condition of Approval #29 that all on-site utilities are installed underground consistent with the Zoning Ordinance. On-site utilities refer to utilities that serve the project use, which is a utility facility, that serves the wider area. The proposed utility facility will not be undergrounded.

g. Maintenance; and

Staff Response:

While detailed maintenance information is not available in the Application material, Condition of Approval #36 requires maintenance to meet the expected standards.

h. Supplemental Information, Modifications (related to existing natural features); and

Staff Response:

The redirected Sand Hollow Creek drainage through the Substation Site has been designed to handle anticipated storm flows and ensure that downstream areas remain unaffected. Condition of Approval #26 ensures further review during grading plan review by the County Engineer.

i. Alternative Master Site Plan

Staff Response:

The Applicant has not provided a request for Alternate Site Development

STAFF RECOMMENDATION

The use, along with proposed conditions and associated DA-2026-03, complies with the requirements of the Elmore County Zoning Ordinance. Based on the evidence presented by staff's analysis above, Staff recommends **approval** of CUP-2025-25 for Mayfield Substation in Ag Zone and Transmission Lines through acquired easements in Ag and M-2 zones with the following conditions of approval.

PROPOSED CONDITIONS OF APPROVAL FOR CUP-2025-25 WITH MASTER SITE PLAN

General

1. A Conditional Use Permit (CUP-2025-25), with a Master Site Plan, is granted to Idaho Power Company ("Applicant") to construct and operate an electrical substation on parcels RP01S04E010060 and RP01S04E012405 and to construct and operate transmission lines within easements on parcels RP01S04E223000, RP01S04E156000, RP01S04E155400, RP01S04E153600, RP01S04E153000, RP01S04E104800, RP01S04E102400, RP01N04E238410, RP01S04E037250, RP01S04E037810, RP01S04E030200, RP01S04E031300, RP01S04E020610, RP01S04E020500, RP01S04E020080, RP01S04E020060, RP01S04E013000, and RP01N05E310610.
2. CUP-2025-25 shall not become effective until the Applicant executes Development Mitigation Agreement DA-2026-03 with the Board of County Commissioners and provides a fully executed copy to the Elmore County Land Use and Building Department ("the Department").
3. All development and operation activities of the Substation Site and in Transmission Line Easements shall comply with terms and conditions of approval of CUP-2025-25 with Master Plan, terms of the associated DA-2026-03, and the Zoning Ordinance. Any violation thereof shall result in revocation of the CUP-2025-25.
4. Prior to any construction activity at the Substation Site or in the Transmission Line Easements, the Applicant shall notify the Department and receive necessary approvals in compliance with Zoning Ordinance.
5. Any violation of a term or condition of the Development Mitigation Agreement (DA-2026-03) shall constitute a violation of the conditions of approval for CUP-2025-25 and may result in the revocation of CUP-2025-25.
6. All improvements authorized under CUP-2025-25 shall be fully constructed by December 31, 2028. For good cause, the Department may administratively grant up to two, one-year extensions, not extending beyond December 31, 2030. Any extension request beyond December 31, 2030, shall require a formal modification of CUP-2025-25 and compliance with all County ordinances in effect at that time.

7. The planned path or easements for the transmission lines shall not be altered unless approved through the Department via appropriate process of the County.
8. All conditions of approval for CUP-2025-25, including the Master Site Plan, and terms of DA-2026-03, shall run with the Substation Site and Transmission Line Easements and be binding upon the Applicant and all heirs, transferees, successors, and assigns.
9. Prior to applying for any Site improvement or building permit, the Applicant shall ensure that the proposed structure, use, or improvement was contemplated in the CUP and Master Site Plan, as amended from time to time.
10. Neither the Applicant nor any other party shall develop any use, construct structures, or make site improvements to the Substation Site not shown in the approved Master Site Plan or specifically required by conditions of approval, unless an amendment to the Master Site Plan is submitted, reviewed, and approved in accordance with the Zoning Ordinance.

Specific Actions During Permitting and Construction

11. Prior to grading existing slopes greater than 15% grade or creating new slopes greater than 15%, the Applicant shall obtain Hillside Grading Permits from the Department in compliance with Title 7, Chapter 5 of the Zoning Ordinance. This condition applies independently to the Substation Site and each site of the Transmission Towers.
12. Prior to applying for grading permits, the Applicant shall confirm the amount of grading, if any, in the 100-year flood hazard zone and if there is grading in the flood hazard zone, obtain a Floodplain Development Permit from the Department in compliance with Title 8, Chapter 2 of the Zoning Ordinance. This must be verified by the Department both for the Substation Site and each site of the Transmission Towers.
13. The Applicant shall maintain all drainage on site and not impact drainage on neighboring properties or rights-of-way. Prior to any building permit, the Applicant shall submit a drainage study/report for the proposed stormwater facilities to the Department and receive approval from the County Engineer.
14. Before any grading permit is issued, the Applicant must submit an erosion and sediment control plan to the Department for approval. The plan must include necessary measures such as silt fencing, wattles, and a construction water truck.
15. Before any grading permit is issued, the Applicant must provide a maintenance schedule for the firebreak perimeter, including vegetation control. The Applicant must maintain accurate, up-to-date maintenance records and make them available to the Department upon request.
16. Prior to any Site improvements, the Applicant must comply with all applicable Idaho Administrative Rules (IDAPA) and obtain compliance approval from IDEQ if requested by the Department, including but not limited to:
 - a. IDAPA 58.01.01 – Air Pollution Control

- b. IDAPA 58.01.05 – Hazardous Waste
- c. IDAPA 58.01.02 – Water Quality Standards, and
- d. IDAPA 58.01.11 – Ground Water Quality

17. Prior to any Site improvements, the Applicant shall provide final geotechnical information to the Department for the County Engineer's review to ensure proposed improvements or structures have a stable foundation.
18. Prior to any Site improvements, the Applicant shall verify selected noise-generating equipment, on-site placement, and noise dampening techniques. No noise above 60 decibels clearly attributable to the noise-generating equipment shall be perceivable immediately adjacent to homes within 2500 feet.
19. Prior to any Site improvements, the Applicant shall submit a comprehensive Construction Traffic and Parking Plan to the Department for review and approval. The plan shall identify designated trip routing to the Substation Site, contractor parking areas, delivery locations, and all proposed traffic mitigation and control measures. Comparable traffic and parking management planning shall be provided for transmission line construction activities, as applicable.
20. Prior to any Site improvements and during construction of Substation Site and Transmission Lines, by no more than 10 days prior, the Applicant shall use a wildlife biologist to survey the Site for nest of golden or bald eagles and any other protected or sensitive aviary species. Prior to applying for a building permit, the Applicant shall submit this report to Idaho Department of Fish and Game, and if needed, bring their written mitigation recommendations to the Department.
21. Prior to any Site improvements, the Applicant shall provide the Department with written verification of service agreement that Rural Metro Fire, or another similar fire service provider or agency, will provide fire protection to the Substation Site beginning at the start of construction and continuing through operation. If such agreement is not reached, the Applicant shall prepare a Fire Protection and Mitigation Plan that provides a level of protection equivalent to a provider service and in compliance with Title 8, Chapter 1, of the Zoning Ordinance. The review of a different Fire Protection and Mitigation Plan will be considered a CUP amendment and processed accordingly.
22. Prior to any Site improvements or Building Permit, the Applicant shall submit specifications, plans and other information to the Department for all outdoor lighting fixtures installed or planned on the Substation Site necessary to show the location, orientation, height, shielding, wattage, luminous area, and photometric test report along with an analysis that the lighting standards of Title 7, Chapter 6 are met. Ongoing, no non-exempt lighting shall be installed on the Substation Site unless first found to be in compliance with the Zoning Ordinance by the Department.
23. Prior to building permit for Control Building, the Applicant shall provide a plan for on-site employee parking, including required ADA parking.
24. No work on transmission lines impacting Interstate 84 shall occur until the Applicant and contractor develop a plan in concert with the County emergency responders and

transportation authorities and confirm the Department has been notified as well as all local emergency responders and local highway district with jurisdiction of roads used as any detour. The Applicant or their contractor shall independently verify all notice and communication and not rely on other parties.

25. Prior to building permit for each transmission tower, the Applicant shall provide a natural features analysis confirming that no disturbance to Slickspot Peppergrass will occur and that no critical habitat for Suckley's Cuckoo Bumble Bees or Monarch Butterflies will be impacted. The natural features analysis shall also confirm the absence of historic or cultural resources within the area of disturbance.
26. At the time of obtaining a grading permit for the Substation Site, the Applicant shall ensure, to the satisfaction of the County Engineer, that the final design of the redirected Sand Hollow Creek maintains pre-development flow conditions and prevents erosion of the downstream drainage banks. The capacity of the box culverts and the adequacy of erosion-prevention measures at the downstream connection point shall be reviewed as part of this determination.

Ongoing Requirements

27. If any previously unknown subsurface cultural or archaeological resources are discovered during construction or any phase of operations, the Applicant must immediately stop all activity in the affected area and follow the industry practice for the Inadvertent Discovery Guidance as recommended by a certified archaeologist. The Applicant shall notify the Department of such discovery and actions taken.
28. The Applicant shall maintain an adequate water supply for all uses identified in the Master Site Plan, including water necessary for dust mitigation and fire protection in compliance with State and local regulations.
29. All on-site electrical lines, pipes, conduits, and similar support utilities to the approved use shall be installed underground unless the Applicant demonstrates that above-ground installation is technically necessary, as confirmed by a design professional selected by the Department. The approved use itself will be developed as proposed in the Master Site Plan and not required to be undergrounded.
30. The Substation Site shall have secure perimeter walls maintained at all times, including lockable gates, at all times.
31. The Applicant shall provide primary and secondary gate access for emergency response to the State Fire Marshall (if requested), Elmore County Sheriff, and Elmore Ambulance Service.
32. Removal of vegetative cover shall be limited to areas required for excavation, construction activities, and designated firebreaks. All disturbed areas not identified in the Master Site Plan as permanent non-vegetated surfaces shall be revegetated prior to operation of the Substation Site or, as applicable, energizing of the lines connected to new transmission towers.

33. In accordance with Idaho's Right to Farm Act (Title 22, Chapter 45), the Applicant shall not initiate a nuisance lawsuit against surrounding agricultural operations that follow generally accepted farming practices.
34. The Applicant must abide by all state, federal, and local laws and ordinances. Any violation of state, federal, or local law or ordinance may result in the revocation of CUP-2025-25.
35. In order to keep the CUP active, all outdoor storage areas shall be maintained in orderly manner and not include any equipment in disrepair unless specifically approved by the Department. Any storage of equipment in disrepair or waste materials or anything else that would be classified as "junk" shall be limited to combined storage area of 1 acre.
36. The Applicant shall maintain the Substation Site and areas of responsibility in the Transmission Line Easements to prevent, at all times, any conditions or development that would constitute a nuisance under Title 8 Chapter 4.
37. The Applicant shall actively, regularly, and accurately maintain a log of all hazardous materials with all relevant and current safety data sheets from the manufacturers, including liquids and solids. The Applicant shall ensure all hazardous materials are stored or otherwise maintained to ensure the materials do not enter the air, soil, or natural drainage. All handling and storage shall be consistent with the safety data sheets and any other manufacturer recommendations or regulating agency requirements.
38. The Applicant shall ensure all property taxes are kept current.
39. The Applicant shall construct, maintain, and operate the Project in compliance with all federal, state, and local regulations at all times.

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