



Land Use and Building Department

2280 American Legion Blvd
Mountain Home, ID 83647
Phone: (208) 587-2142 ext. 1255
Fax: (208) 587-2120
www.elmorecounty.org

James Roddin
Director

Dave Abrahamson
Planner I

Vacant
Planner II

Johnny Hernandez
Building Official

Colton Janousek
Building Inspector

Josh Proffit
Building Inspector

Matt Gochmour
Code Enforcement

Sandra Nuner
Permit Technician

Elizabeth Elliott
Admin Assistant

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 and Variances for Natural Gas-fired Power Plant and Switching Station

Applicant: Idaho Power Company

Case Number: CUP-2025-32 with Master Site Plan, VAR-2026-05 and VAR-2026-06

Associated Case: DA-2026-04

County Review Team: Mitra Mehta-Cooper AICP, Contract Planner
Daniel Pauly AICP, Contract Planner
Richard Heiser PE, Contract Electrical Engineer
Angie Michaels PE, Contract County Engineer

Zoning Designation: Heavy Industrial/Manufacturing (M2) with Wildland Urban Interface (WUI) Overlay

Parcel Number: RP01S04E262410

Property Size: Approximately 30 acres of a 160-acre Site

EXECUTIVE SUMMARY:

Idaho Power Company (the "Applicant") requests a Conditional Use Permit with Master Site Plan and two Variances (the "Application") for the proposed Peregrine Energy Center – Natural Gas Power Plant and Switching Station (the "Project").

The Project is located in the Heavy Industrial/Manufacturing (M-2) Zone District with a Wildland Urban Interface (WUI) Overlay within the Simco Road District of the 2014 Comprehensive Plan, which promotes industrial uses within unincorporated Elmore County. The proposed use is classified as an Electrical Generating Facility, which requires a Conditional Use Permit and a Master Site Plan under Table 7-2-26(B) of the Zoning Ordinance for the M-2 Zone District. It also includes a switching station that meets the definition of Energy Production Facility under the Zoning Ordinance,

which also requires a Conditional Use Permit under Table 7-2-26(B). The Application requests a variance to allow the exhaust stacks and inlet filter plenum for the power plant to exceed the maximum height permitted in the M-2 Zone District, as specified in Table 7-2-27(B) of the Zoning Ordinance. The Application also requests a variance to the allowed ambient sound level at 750 feet of 58 decibels, as specified in Zoning Ordinance Section 7-2-103 (A)(4) and 7-2-106(A)(4) to emit loader sound. Because the Project is located within the WUI Overlay, it must also comply with Title 8, Chapter 1 of the Elmore County Zoning and Development Ordinance.

The Project is proposed on approximately 30 acres of Assessor's Parcel Number RP01S04E262410, which is part of a 160-acre parcel owned by Idaho Power.

As required in the Zoning Ordinance, the Applicant completed the following pre-application steps prior to submitting the Application:

- April 8, 2025: The Applicant held a Pre-Application Meeting with the Department Director in compliance with Section 7-3-2(A).
- August 4 and 12, 2025: The Applicant, in compliance with Section 7-3-3, sent invitations for the Neighborhood Meeting to adjacent property owners (see Exhibit 1e).

On September 12, 2025, the Applicant submitted the CUP with Master Site Plan and one variance application to the Department and paid the required fees in compliance with Section 7-3-2 (Exhibits 1a and 1b). The Applicant submitted an additional Application for a noise variance on December 2, 2026 (Exhibit 1d). On November 13, 2025, and February 9, 2026, the Department met with affected agencies to discuss the proposal.

On January 8, 2026, the Applicant held an additional Neighborhood Meeting which highlighted the noise variance request, while also giving an overall update on the Project (see Exhibit 1f).

The Applicant submitted additional materials on January 9, 2026.

A Public Workshop was held on January 22, 2026, with the Planning and Zoning Commission ("Commission") (Exhibit 3). The Public Workshop was advertised in the Mountain Home Newspaper on January 7, 2026, and the Site was posted on January 15, 2026. The purpose of this workshop was to discuss the CUP-2025-32 and VAR-2026-05 & VAR-2026-06 review to-date with the Commission and receive their feedback prior to holding the public hearings for the Application.

The Applicant submitted additional information on January 23 and February 20, 2026.

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 Elmore County Board of County Commissioners. The Department received that Application and necessary fees on March 6, 2026. Finalization of DA-2026-04 will occur if approval of the CUP is granted.

Today's Public Hearing was noticed in Mountain Home Newspaper (Exhibit 7a) on March 18, 2026. Affected agencies were notified on March 18, 2026 (Exhibit 7b) and neighboring properties within a 5-mile radius were notified on March 26, 2026 (Exhibit 7c) and the Site was posted on March 26, 2026. At today's Public Hearing, the Commission will review the CUP-2025-32 with Master Site Plan, and if the CUP is approved, will review VAR-2026-05 and VAR-2026-06.

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. Applications
 - a. CUP-2025-32 – September 12, 2025
 - b. VAR-2026-05 (Height) – September 12, 2025
 - c. CUP-2025-02 Master Site Plan Checklist – September 15, 2025
 - d. VAR-2026-06 (Noise) – December 22, 2025
 - e. Pre-Application Neighborhood Meeting Information – August 4 and 12, 2025
 - f. Follow-Up Neighborhood Meeting Information – January 8, 2026
2. Completeness Determination Memo by Department – December 8, 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 – September 16, 2025
 - b. Response to Completeness Determination – December 22, 2025
 - c. Response to Public Workshop Follow Up – February 20, 2026
6. Applicant's Plans, Studies, and Documents
 - a. Property Deed
 - b. Fire Response Plan and Rural Metro Intent to Serve
 - c. Power Plant Diagram and Renderings
 - d. Switching Station Diagram and Renderings
 - e. Draft Preliminary Sound Study
 - f. Natural Features Analysis
 - g. Idaho Power Workshop Presentation
 - h. Proposed Construction Schedule
 - i. Airport and Flight Path Information
 - j. FAA Specifications for Exhaust Tower Lighting
 - k. Grading Plans – February 19, 2026
 - l. Northwest Pipeline Letter RE: Natural Gas Transport Availability
 - m. Traffic Memo – February 19, 2026
 - n. Waiver of Noise Requirement Signed by Neighboring Property
7. Public Hearing Notifications
 - a. Newspaper and Site Post

- b. Agencies
- c. Neighborhood
- 8. Public Comments
 - a. TBD
- 9. Agency Comments
 - a. Idaho Army National Guard Comment Letter
 - b. Elmore County Ambulance Service and Rescue Financial Impact Request

APPLICABLE ZONING ORDINANCE CHAPTERS FOR DEVELOPMENT REVIEW:

The Site is currently zoned as Heavy Industrial (M-2) as its base zone and is located within the Wildland Urban Interface (WUI) Overlay Zone. 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.

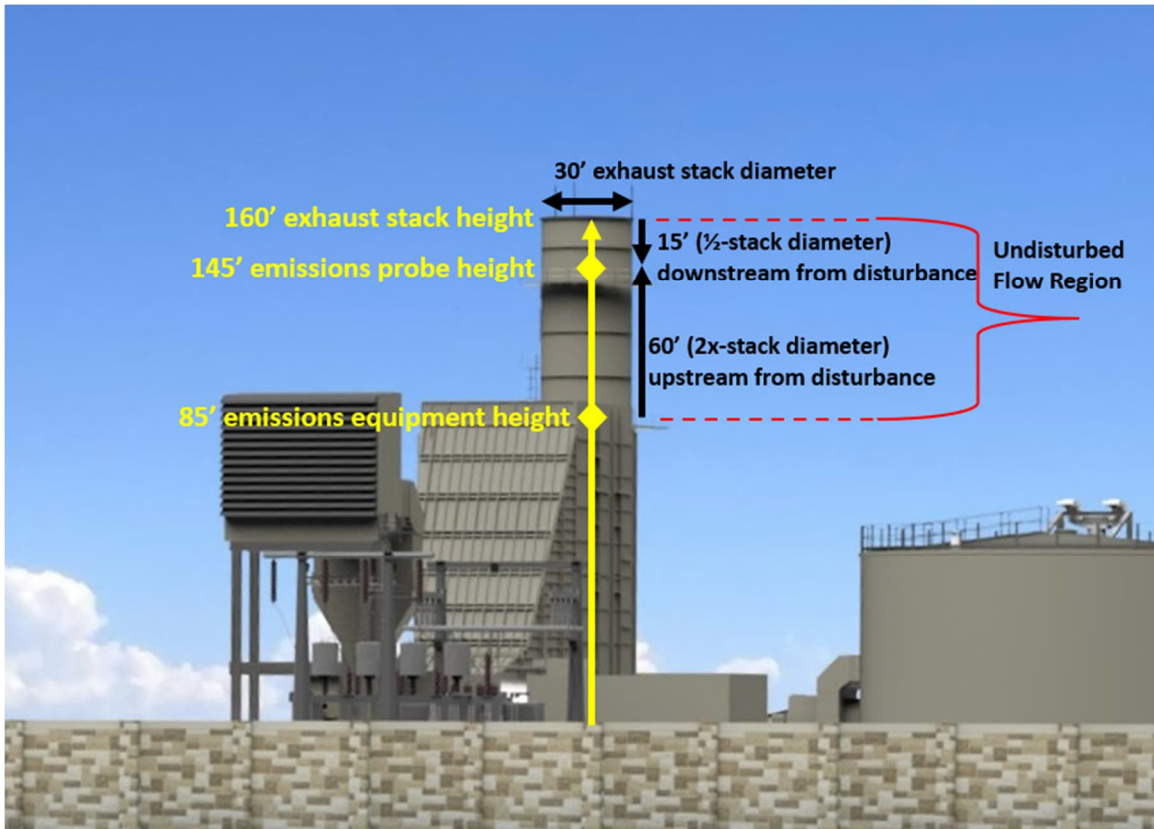
Throughout the development review process, Staff and affected agencies have identified the following major issues of consideration for the proposed use as they relate with making the required findings for the aforementioned chapters of the Zoning Ordinance.

Variance for Exhaust Height

The Zoning Ordinance for the Heavy Industrial (M-2) zone permits structures up to 80 feet in height. However, preliminary design estimates for the power plant indicate that the inlet filter plenum will be approximately 94 feet tall, and the exhaust stacks will reach about 160 feet. Because the height exceeds the Zoning Ordinance maximum height for M-2 zone, the Applicant is requesting a variance.

The height of the exhaust stacks is primarily dictated by Environmental Protection Agency (EPA) standards for installing emissions monitoring equipment. According to EPA requirements, the emissions sensor probe must be positioned at a distance equal to twice the exhaust stack's diameter above the emissions equipment. In this case, the emissions equipment is located at 70 feet, with the first probe 60 feet higher and an additional 30 feet for a second probe, resulting in a total stack height of 160 feet. Taller stacks also, according to Idaho Power, improve air dispersion, helping to minimize the impact of emissions on surrounding areas.

Although the proposed structures exceed the current height limit, the power plant is set back approximately 1,000 feet from Simco Road and sits about 30 feet lower than Interstate 84. These factors will significantly reduce the off-site visual impact of the higher structures. The height variance was an issue of concern for the Department because this area is known to have low-flying aircrafts associated with certain military installations. At the request of the Department, the Applicant received a letter of support and necessary guidance from the Idaho Army National Guard (Exhibit 9a). Their recommendations are incorporated as conditions of approval for the height variance.



Variance for Sound Level

The power plant anticipates an increase in ambient sound levels due to the operation of transformers, turbines, and other electrical equipment. To mitigate this, Idaho Power plans to implement noise-reduction strategies such as acoustic barriers, vibration isolation, silencers, and sound-absorbing materials.

A preliminary sound study (Exhibit 6e) indicates that the facility can be designed to likely meet Elmore Zoning Ordinance Section 7-2-103 (A)(4) and 7-2-106 (A)(4), which mandates that noise levels from the facility should not exceed 58 decibels on the A-weighted scale when measured from 750 feet from a power-producing turbine. However, the preliminary sound levels are near the maximum level, even with reasonable mitigation efforts. With preliminary readings on the threshold of exceeding the maximum it is possible that, as built, the facility will generate above the maximum. As such, Idaho power is requesting a variance for up to 75 decibels, which they can have confidence in their ability to meet.

As a comparison, according to information Idaho Power provided, the difference between the allowed maximum and the requested variance is that between normal conversation or background music versus a vacuum cleaner or average radio. Idaho Power also points out that, at the Zoning Ordinance-required measurement point, other ambient noise from nearby transportation facilities and industrial operations will mix with the powerplant noise creating minimal impact on surrounding areas. Also, the noise producing portion of the power plant is set well away from any nearby use, including 1,000 feet from Simco Road, the nearest public road.

Fire Protection

Fire protection is always a major concern for Elmore County decision-makers, including the Department, the Planning and Zoning Commission, and the Board of County Commissioners.

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, Idaho Power would have to return to the Department 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.

Construction Traffic/Emergency Services/Development Mitigation Agreement

Elmore County, particularly regarding emergency response, seeks to understand traffic and Site activity during construction of energy projects. These projects are unique because construction generates an increase in traffic from workers and deliveries of materials and equipment in areas of the County that typically have low demand for services. Once completed, these facilities require minimal on-site staff and generate very little traffic.

The increase in traffic and site activity during construction creates a temporary increase not only in traffic but also in demand for law enforcement and emergency medical services (EMS) and thus can increase service costs for the County. Coordination with emergency response agencies and the Board of County Commissioners is essential for the Applicant to pay their fair share for services during construction periods.

Idaho Power has started that coordination and indicated a willingness to contribute its fair share toward public-safety impacts. Idaho Power is required to enter into a Development Mitigation Agreement with the Board of County Commissioners to ensure they identify service needs associated with the proposed use and contribute their fair share of cost toward these additional services as allowed in Section 7-10-3(A) of the Zoning Ordinance. Idaho Code Section 67-6511A and Title 7, Chapter 10 of the Zoning Ordinance guides the creation, form, recording, modification, enforcement, and termination of Development Agreements, which in this instance is used to guide mitigation measures for the proposed use in substance and process that cannot be mitigated through conditions of approval. Necessary contributions for EMS and law enforcement will be discussed and approved by the Board of County Commissioners through the Development Mitigation Agreement process.

Simco Road Safety and Turning Movements

Although the Application materials indicate that area roads will operate at Level of Service (LOS) B during construction, reflecting relatively free-flowing traffic conditions at posted speeds, they do not address the safety of turning movements by trucks and passenger vehicles. This concern is heightened along the straight, shoulder-less, two-lane segment of Simco Road, where a substantial cumulative increase in commercial truck traffic is occurring concurrently with commuter traffic traveling between Interstate 84 and Mountain Home Air Force Base.

To minimize potential delays—and, more importantly, to enhance safety along this corridor—the Applicant is required, in Conditions of Approval #19, 20, and 22, to coordinate with both the Idaho Transportation Department for the Simco Interchange and the Mountain Home Highway District for Simco Road to determine whether additional improvements are warranted.

Phasing of the Proposed Use

At the public workshop on this Application, a relevant discussion took place related to the phasing of the proposed use in order to understand construction traffic impacts. In a March 6, 2026 memo to Staff (Exhibit 6h), the Applicant states that *"the proposed Peregrine Energy Center Project will be constructed in two phases and begin construction in 2027. Before construction, Idaho Power must first obtain a Conditional Use Permit ("CUP") from Elmore County, a Permit to Construct ("PTC") from the Idaho Department of Environmental Quality ("IDEQ"), and a Certificate of Convenience and Necessity ("CPCN") from the Idaho Public Utility Commission ("IPUC"). Idaho Power expects these last two authorizations sometime in 2027. The CUP and associated Variances help finalize the project details for the PTC and CPCN application submittals... If approved by Elmore County, IDEQ, and the IPUC, the first 400 MW gas-fired turbine ("Phase 1") could start construction in 2027 and commence operations prior to the summer of 2030. The second proposed gas-fired turbine ("Phase 2") contemplates construction starting a year later in 2028, with potential operations as soon as early summer 2031."*

Natural Gas Supply and Safety

The Applicant identifies the Site as suitable for a natural-gas-fired power plant in part due to its proximity to the Williams/Northwest Pipeline. In correspondence provided by the Applicant (Exhibit 6I), Williams confirms its ability to serve the Site, noting that Idaho Power would need to secure additional pipeline capacity from a third party—a common requirement for major new industrial users, particularly in the West where interstate pipelines often operate near full capacity. Although it is premature for Idaho Power to purchase capacity at this stage, there is no indication that such capacity would be unavailable when needed.

Natural gas pipelines and associated delivery infrastructure carry hazardous material, and safety is an important consideration. Available incident records show that most accidents in Idaho and nationwide stem from third-party excavation without proper utility locating, rather than failures in industrial operations. Incidents associated with industrial "hot taps" or metering-station installations are uncommon relative to the high volume of such activities conducted annually. When contractors adhere to established industrial safety standards during installation, the likelihood of an incident is sufficiently low that no

additional County-imposed mitigation measures or protocols are warranted beyond conditions of approval. The addition of a metering station for the Project does not measurably increase the overall risk profile of the existing pipeline system traversing the County.

The final location of the metering station is not yet known and will be determined by Williams Pipeline. The facility may be located on the Site or off-site, depending on Williams Pipeline's operational and engineering requirements. A separate land-use application for the metering station will be required once its location and design are finalized. Approval of CUP-2025-32 and the associated Master Site Plan does not include or authorize the metering station.

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

- 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 proposed use is an Electrical Generating Facility and Energy Production Facility under the Zoning Ordinance. These uses require a Conditional Use Permit and a Master Site Plan under Table 7-2-26(B) of the Zoning Ordinance within the M-2 Zoning District.

- 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 Site as M-2 within the Simco Road District. The M-2 designation applies to heavy manufacturing and processing industries. The proposed use qualifies as a heavy-industrial type use permitted as a conditional use in the M-2 district. With its exhaust stacks and related operations, the Application aligns with the nature and type of heavy industrial activities anticipated in the M-2 zone and the Simco Road District. Both the zone and Simco Road District prohibit all residential development, and there are no new residents anticipated in this general area.

In addition, the Comprehensive Plan establishes several objectives and considerations regarding power and electrical infrastructure within the County. A primary objective is to enhance the electrical system and its capacity, ensuring adequate energy for economic and community development (Chapter 4, Economic Development, Objective 12), and to work with Idaho Power to promote 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. The ETVEP is a conceptual plan and not regulatory. The ETVEP focuses primarily on substations and transmission lines and does not show the proposed energy center identified.

According to the Applicant, while the proposed energy center is not a renewable energy facility, it supports the renewable energy infrastructure by being available as needed to meet demand when wind and solar are not at their max production due to lack of wind or sun. This on-demand redundancy will help deliver power reliably to users in the County in support of ensuring adequate energy for economic and community development.

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. Notably, the Applicant is pursuing variances from maximum height and maximum ambient noise standards.

- **Title 7, Chapter 2:** See Findings 1 and 3.
- **Title 7 Chapter 3:** Applicable procedural requirements of Chapter 3 have been followed by the Applicant and Department.
- **Title 7 Chapter 5:** The subject Site is relatively flat, however if grading involves modifying existing slopes greater than 15% or creating new slopes greater than 15% it is understood a Hillside Grading Permit will be required.
- **Title 7 Chapter 6:** Sufficient information on lighting has not yet been submitted but will be required by Condition of Approval #26.
- **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 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 DA will address social, economic, and environmental impacts throughout the lifecycle of the development including during construction and operation.
- **Title 8, Chapter 1:** Because the Application is located within the WUI overlay, special attention has been given to fire prevention and protection. As described in Finding 8, all necessary fire prevention and protection measures will be in place.
- **Title 10:** See Master Site Plan findings. No land divisions are proposed.

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 Zoning Ordinance provides the purpose statement for the M2 Zoning District in Section 7-2-5 (G), stating:

The purpose of the M2 district is to manage the development and location of heavy industry. If requested by the Director, Commission or the Board, may be required to include and authorize a Memorandum of Understanding (MOU), which will specify certain required steps leading to the process of evaluating and developing. The Heavy Industrial designation is specifically established for heavy manufacturing and processing industries.

The natural gas power plant, accessory facilities, and switching station are allowed conditional uses and are designed to be compatible with heavy manufacturing and processing industries. The power plant exhaust stacks and operational noise levels reflect the industrial character similar to other uses allowed in the M-2 zone.

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

Required Findings for Electrical Generating Facilities Per Section 7-2-103:

A. Additional standards or requirements for this use. Certain types of electricity generation facilities are permitted as conditional uses in zones as specified in Title 7, Chapter 2, Table 7-2-27 (B) and must adhere to the following conditions. Listed 1 through 12.

- 1. The facility shall use only natural gas, solar cells, water (hydroelectric) or wind power to produce electricity for sale. The use of diesel fuel is allowed only for emergency generation of electricity for fire suppression or winding down turbines.*

Staff Response:

The Applicant proposes to use natural gas to produce electricity for sale, which is an allowed fuel type.

- 2. The owner or operator of the facility shall show compliance with all applicable Idaho Public Utility, and Federal Agency rules and regulations before receiving a zoning permit and shall operate the facility in conformance with those same regulations.*

Staff Response:

The Applicant has committed to meeting State and Federal requirements for the facility. Idaho Power has coordinated tower height with impacted airports, Mountain Home Air Force Base, and Idaho Army National Guard.

- 3. Facility improvements shall be at least 2,500 feet away from any residence existing at the time of the application for permit. This distance shall be measured from the centerline of the power producing turbine to the closest edge of the residence. The distance may be shortened if the applicant applies for and is granted a waiver using the standards and procedures contained in this ordinance. A distance waiver shall be granted by the Commission provided,*

the owner(s) of affected residence(s) waive, in writing, the two thousand five hundred (2,500') foot setback requirements. If such waiver(s) are submitted to the Administrator for each residence within the two thousand five hundred (2,500') foot setback no variance approval shall be required.

Staff Response:

There are no residences within 2,500 feet of the proposed facility.

- 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 affected property waive in writing the 58Db noise requirement.*

Staff Response:

The Applicant requests one variance from these standards: an increase in the allowable ambient noise level to 75 decibels at 750 feet, compared to the code standard of 58 decibels. If the CUP is approved, VAR-2026-06 will be discussed in the same hearing to address this matter. The only affected property owner has provided a written waiver (Exhibit 6n).

- 5. The applicant, with its building permit application, shall submit and thereafter 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:

The Applicant's plans shows security fencing/walls.

- 6. The applicant shall demonstrate and maintain an adequate fire protection and fire-fighting 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 Applicant has submitted a Fire Response Plan and an Intent to Serve from Rural Metro (Exhibit 6b). If Rural Metro does not provide fire response to the site, an updated Fire Response Plan will be required. See Condition of Approval #25.

- 7. Before a 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:

Two public meetings were held on August 4 and 12, 2025, noticed in a local newspaper and by mail to the required property owners. An additional meeting was held on January 8, 2026.

8. *The Director 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.

Wildfire Risk

Wildfire ignition from high-voltage equipment or natural gas accidents 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 facilities during elevated-risk conditions. 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-2026-04, as detailed elsewhere in these findings, ensuring the Applicant provides proportional mitigation for public-service impacts generated by the project.

Air Pollution

The proposed project will emit exhaust from the natural-gas turbines that contains regulated air pollutants. To meet applicable air-quality standards and enhance dispersion, the Applicant has incorporated tall exhaust stacks into the project design. The increased stack height aids in dispersing emissions higher in the atmosphere, thereby minimizing impact.

9. *Towers and structures that seek to exceed the building height restrictions from Table 7-2-28 (D) must be compatible with the flight operations of MHAFFB and the City of Mountain Home and Glenns Ferry public airport operations. The proposed plan should be coordinated and approved by local, state, federal and military aviation officials.*
10. *Towers and height variances shall not be granted within 5 miles of Mountain Home AFB or along depicted flight corridors.*

- 11. Within the Mountain Home or Glenns Ferry airport influence areas overlay district, the height limits on the tower or facility structures shall be as required by the Code of Federal Regulations 14 CFR 77.*

Staff Response:

Idaho Power has coordinated tower height with impacted airports, Mountain Home Air Force Base, and Idaho Army National Guard. The proposed facility is not within 5 miles of Mountain Home AFB, along depicted flight corridors, or within Mountain Home or Glenns Ferry airport influence area overlay districts.

- 12. Notification distance shall be increased at the discretion of the Director to accommodate for visual impacts.*

Staff Response:

The Director did not require increased notification based on visual impacts.

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

A. Additional general standards or requirements for this use.

- 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 #37.

- 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:

No residential dwellings are within 2,500 feet of the proposed power production turbines.

- 3. 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 Project is not located within an Existing Fire Protection District. As discussed in the Application materials, adequate fire protection will be ensured through Condition of Approval #25, 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 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.

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:

The Applicant requests one variance from these standards: an increase in the allowable ambient noise level to 75 decibels at 750 feet, compared to the code standard of 58 decibels. If the CUP is approved, VAR-2026-06 will be discussed in the same hearing to address this matter. The only affected property owner has provided a written waiver (Exhibit 6n).

5. *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.

Wildfire Risk

Wildfire ignition from high-voltage equipment or natural gas accidents 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 facilities during elevated-risk conditions. 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-2026-04, as detailed elsewhere in these findings, ensuring the Applicant provides proportional mitigation for public-service impacts generated by the project.

Air Pollution

The proposed project will emit exhaust from the natural-gas turbines that contains regulated air pollutants. To meet applicable air-quality standards and enhance dispersion, the Applicant has incorporated tall exhaust stacks into the project design. The increased stack height aids in dispersing emissions higher in the atmosphere, thereby minimizing impact.

- 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:

Additional noise studies, prepared by a licensed engineer, will be required as equipment selection is finalized and again after construction to verify that noise-control measures are adequate.

- 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-2025-32 on behalf of the Applicant, which was advertised in the local newspaper and property owners were notified. The Applicant has held a total of three pre-application and post-application public meetings.

- 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 Site, and nothing in the approval of the CUP acts in lieu of building permits or prevents the ability to apply building regulations. The proposed use was discussed with affected agencies, including County agencies, in a meeting on November 13, 2025 and February 9, 2026 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 November 13, 2025 and February 9, 2026, and coordination will continue as needed with State and Federal agencies. Comments and concerns from these agencies are incorporated into the Staff's recommendation to the Commission and are further assured by Condition of Approval #37. 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:

Industrial uses located along Simco Road include the railroad, Fat City Fireworks, Larson-Miller Medical Waste Disposal Service, 2X Recycling, Republic Services

Landfill and Rail Transfer Facility, Simco Boat & RV Storage, Simco Environmental Industrial Wastewater Evaporation Ponds, and Pacific Steel Auto Shredder Facility. The Elmore County Comprehensive Plan anticipates this area to be used for heavy industrial processing and manufacturing land uses, which a powerplant with industrial machinery and exhaust stacks would be typical and expected. The switching yard also has electrical components that have a look and feel typical of similar facilities like electrical substations located in a variety of zones across the County. The proposal went through extensive review and will be conditioned to ensure that the proposed use is designed, constructed, and maintained in such a way to be harmonious and appropriate in appearance with the existing and anticipated future character of the general vicinity. Therefore, the proposed use is not expected to change the essential character of the area.

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

Staff Response:

Staff, the Commission, and affected agencies reviewed the proposed use to determine whether it would create hazards, disrupt neighboring uses, or impede the normal development of adjacent properties. The surrounding land is zoned Heavy Industrial (M-2) and supports a series of industrial uses. Otherwise, the existing area is primarily vacant or in agricultural use. The nearest non-agricultural use is the medical-waste facility located on the east side of Simco Road. Potential concerns identified during review included construction traffic, possible interference with aviation from exhaust stacks, air-quality impacts, risks associated with natural-gas infrastructure, and noise.

The submitted traffic study indicates that Simco Road will continue to operate at Level of Service (LOS) B, which indicates generally free-flowing traffic at or near posted speeds, during construction, which is an acceptable level of service for this corridor. Condition of Approval #21 requires that construction traffic be managed to reduce temporary impacts, including any intermittent traffic control needed on Simco Road for oversized equipment deliveries, utility work, or other construction-related activities. An additional traffic impact study is required by Condition of Approval #19, which may require additional mitigation such as a center turn lane prior to construction of that phase.

The Applicant has coordinated with nearby Touch-n-Go facility and other aviation stakeholders, including local airports, Mountain Home Air Force Base, and Camp Orchard. In response to initial inquiries, the Applicant has agreed to install lighting on the exhaust stacks to ensure adequate visibility to aviators. No airport or military operator has identified any measurable impact to flight operations or raised concerns regarding air-navigation hazards.

Air-quality impacts are regulated by federal law, as with any industrial use containing combustion-related emissions. The Project design accommodates required monitoring equipment and incorporates tall exhaust stacks, which improve dispersion and reduce localized air-quality impacts. The Applicant will also be required to obtain

a Permit to Construct from the Idaho Department of Environmental Quality, which is reflected in Condition of Approval #29.

With respect to natural-gas safety, an explosion or major incident involving high-pressure natural gas from the Williams/Northwest Pipeline, through the anticipated metering station, and on-site piping could pose a significant hazard to nearby properties. However, such incidents are rare in controlled industrial environments with established safety protocols. Most historical pipeline incidents occur outside regulated facilities—often from unauthorized excavation—such as the 2023 Middleton event that resulted in a large evacuation. Staff did not identify any additional conditions that would further reduce risk beyond standard construction, industrial safety, and ongoing maintenance requirements already applicable to this type of infrastructure. Additional review specific to the natural gas infrastructure will occur when the natural gas metering station is reviewed by the Commission as a separate future application.

- 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 Peregrine Energy Center will not generate noticeable traffic, construction will create a temporary increase from contractor vehicles, heavy delivery trucks, and construction equipment. The submitted traffic study (Exhibit 6m) indicates that Simco Road will continue to operate at Level of Service (LOS) B, which indicates generally free-flowing traffic at posted speeds, during construction, which is an acceptable level of service for this corridor. Condition of Approval #21 requires that construction traffic be managed to reduce temporary impacts, including any intermittent traffic control needed on Simco Road for oversized equipment deliveries, utility work, or other construction-related activities.

Police Protection and Emergency Response

Police protection and emergency response needs are considered both during construction and operations.

Construction-related activity for a major infrastructure project of this scale will increase demand for law enforcement and emergency medical services (EMS) over the approximately five-year construction period for both phases. Based on the preliminary traffic study and cross reference of publicly available estimates, Staff assumes a peak of 340-415 construction workers at the Site between 2027-2031. The final number of workers may be adjusted once the Applicant selects contractors and provides updated workforce estimates. With an estimated peak of 340-415 workers and other secondary trips during the construction phase, the anticipated demand on the County public safety agencies (Sheriff and EMS) will increase.

Once the Project enters the operations phase, traffic and onsite activity will be minimal due to the small number of employees needed for routine operations and maintenance. The facilities' perimeter walls provide 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.

The Applicant is negotiating with Elmore County Ambulance Service/Rescue to contribute toward temporary funding of EMS personnel 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.

The Applicant is negotiating with the Elmore County Sheriff's Office to contribute toward temporary funding of Sheriff's Office personnel. 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 Development Mitigation Agreement, the evidence supports a finding that the proposed development will be adequately served by emergency services and law enforcement.

Fire Protection

A comprehensive fire response plan is critical for the proposed Project due to the risks associated with high-voltage equipment, natural gas, and proximity to critical infrastructure and surrounding land uses. This plan should ensure rapid identification, containment, and suppression of fires, minimizing risks to responders and the public, reducing damage to utility assets, and preventing fire spread to adjacent properties or wildland areas.

Adequate fire protection will be ensured through Condition of Approval #25, which requires the Applicant to provide written verification, prior to issuance of any building permit, that Rural Metro Fire or another comparable fire-service provider ("Fire Protection Provider") will furnish fire protection to the Site beginning at the start of construction and continuing through Project operation. The condition further provides that if no Fire Protection Provider is able or willing to render service, the Applicant may instead develop an alternative Fire Mitigation plan that achieves a level of protection equivalent to that of provider-based service and in compliance with Title 8, Chapter 1 of the Zoning Ordinance.

Drainage Structures

No concerns exist regarding the Project to meet drainage requirements.

Refuse Disposal

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

Water and Sewer

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

A strong and reliable power grid is essential to the economic vitality of the County and region, and the proposed use supports the overall economic welfare of the County by helping to ensure a strong and reliable power system. However, the proposed use, due to its scale, particularly in a relatively rural portion of the County that lacks nearby operational EMS and Sheriff facilities, must be evaluated for potential fiscal impacts on the County-provided public services. Due to a lengthy construction period, these impacts must be assessed for both the construction and operational phases and mitigated through DA-2026-04.

As discussed in additional detail in Finding 8 above, during construction, temporary increases in vehicle traffic and on-site activity will elevate demand for Sheriff and EMS services beyond existing levels.

Considering the expected call volume during construction and operations, combined with the Applicant's commitment to contribute to the cost of EMS and Sheriff personnel and equipment through Development Mitigation Agreement, the evidence supports a finding that the proposed development will not create additional excessive or unfunded 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:

Exhaust from the power plant will be monitored and controlled to comply with EPA standards. The taller exhaust stacks will better disperse exhaust to minimize impact on air quality.

Noise levels will remain within the limits approved by the County as established by the variance request and determination. Additional noise studies and observations are planned as design and construction progresses to ensure noise requirements are met. No additional smoke, fumes, glare, or odors are anticipated during normal operations.

However, natural gas creates a hazard as a leak or other accident can have extensive impact. Such accidents are rare in controlled industrial environments with established safety protocols. Most historical pipeline accidents occur outside regulated facilities—often from unauthorized excavation—such as the 2023 Middleton event that resulted in a large evacuation. Staff did not identify any additional conditions, beyond those

already associated with the project, that would further reduce risk beyond standard construction, industrial safety, and ongoing maintenance requirements already applicable to this type of infrastructure. Additional review specific to the natural gas infrastructure will occur when a design and location of the natural gas metering station is reviewed by the Commission.

Condition of Approval #21 requires that construction traffic be managed to reduce temporary impacts, including any intermittent traffic control needed on Simco Road for oversized equipment deliveries, utility work, or other construction-related activities.

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

Staff Response:

Development of the relatively flat Site along Simco Road is not expected to impact any scenic features of major importance. There are no known natural or scenic features of major importance in this area.

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 2 for the Conditional Use Permit, above, which discusses project applicability 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:

The County Engineer has reviewed and supported approval of the Master Site Plan. 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 generation and processing operations, for safety reasons, no public non-vehicular access is permitted. Any on-site employees or authorized visitors to the Site that arrive in a vehicle and walk the Site will wear safety gear as required and otherwise follow safety protocols. Any marked parking spaces will have a clearly-delineated path to the primary entrance of the O&M building(s) as determined by the County Engineer.

C. Automobile Access and Internal Circulation:

Staff Response:

Once the facility is operational, vehicle access will be limited, with only operations and maintenance staff traveling to the Site. No concerns regarding access or on-site circulation have been identified by the County Engineer, provided that all components are served by gravel access roads.

D. Additional Off-street Parking Design Standards.

Staff Response:

Parking will be provided in accordance with the Zoning Ordinance requirements, as ensured through Condition of Approval #27. There is no indication that adequate space for the required parking would be constrained.

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 natural features analysis (Exhibit 6f) provided by the Applicant, and reviewed by the County Engineer, did not detect any natural constraints. Hydrology, soils, topography, and vegetation are adequately addressed through the Master Site Plan and reviewed by the County Engineer.

b. Historical and Cultural Resources; and

Staff Response:

According to the Applicant, the Idaho State Historic Preservation Office did not include any known Historical or Cultural resources at the Site in the Idaho Cultural Resources Information System or the National Register of Historic Places.

c. Sensitive Plant and Wildlife Species; and

Staff Response:

No specific habitat for sensitive plant or wildlife species are identified in the Application material. Standard monitoring for ground nests for sensitive avian species is required as a Condition of Approval #23. Both US Fish and Game and the Idaho Department of Fish and Wildlife have received notice and been given opportunity to comment. However, no comments were received prior to publication of this report.

d. Any impacts on Natural Features

Staff Response:

Construction on a relatively flat Site is understood to not have impact on natural features and the County Engineer has reviewed the Application.

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

a. Screening; and

Staff Response:

Six-foot screening—provided as either concrete walls or fencing with slats—will be installed around both the power plant and the switching station.

b. Drainage; and

Staff Response:

Although drainage will be reviewed in greater detail during construction permitting, the County Engineer has determined that there is currently no indication of potential drainage issues.

c. Water Supply and Sewage Disposal; and

Staff Response:

The Applicant has indicated plans to construct an individual well and septic system. While final permitting by the Central District Health is not complete, nothing in the record would suggest the Applicant's inability to construct or provide space for delivered water and hauled waste if for some reason they were not permitted.

d. Filling, Excavation, and Earthmoving; and

Staff Response:

The Application is reviewed by the County Engineer and does not indicate any potential for erosion or sedimentation in nearby water channels. Disturbed areas will be revegetated, and standard erosion control measures will be required to be implemented during construction.

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 (Exhibit 4) does not show on-site utilities. It is understood and required by Condition of Approval #32 that—besides certain higher voltage powerlines necessitated to be above ground for technical reasons—all on-site utilities will be installed underground consistent with the Zoning Ordinance.

g. Maintenance; and

Staff Response:

At this stage of review not a lot of information is provided regarding maintenance. However, the expected level of maintenance is required by a conditions of approval.

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

Staff Response:

No additional information or modifications to the Master Site Plan (Exhibit 4) related to existing natural features is recommended.

i. Alternative Master Site Plan

Staff Response:

The Applicant has not provided a request for Alternate Site Development

3 Required Findings for Variances Pursuant to 7-3-13 (C) for VAR-2026-05 Height

1. The variance shall not grant a right or special privilege that is not otherwise allowed in the base zone; and

Staff Response:

The proposed power plant and associated development are conditionally permitted in the M-2 base zone. Other height-related variances have been considered in the vicinity related to Billboard Signs in M-2 Zone. The variance is necessary to meet the air quality requirements of EPA. Therefore, the requested height increase does not grant a right or special privilege that is not otherwise allowed in base zone.

2. The variance relieves an undue hardship due to characteristics of the site; and

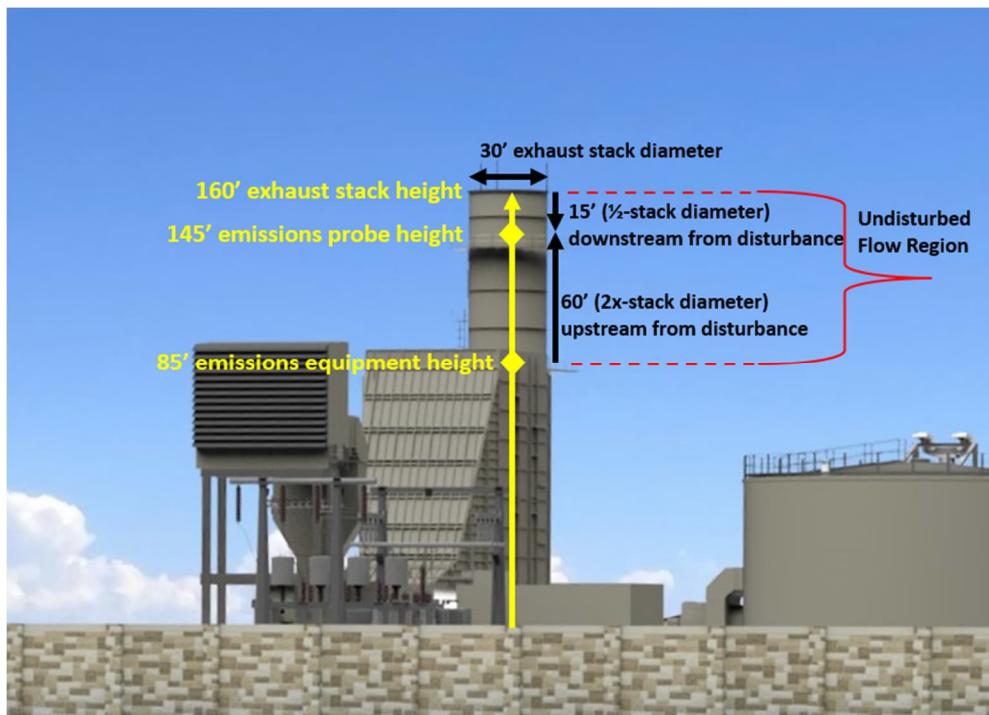
Staff Response:

As with all M2-zoned land, the height limit is 80 feet as established in Table 7-2-27 (B). This creates undue hardship for the proposed use because meeting technical and regulatory requirements becomes impossible. While some components, such as the inlet filter plenum, also exceed 80 feet, the requested 160-foot height is driven by the exhaust stacks.

The stack height is primarily dictated by EPA standards for emissions monitoring equipment. EPA requires the sensor probe to be placed at a distance equal to twice the stack's diameter above the emissions equipment. Here, the emissions equipment is at 70 feet, with the first probe 60 feet higher and an additional 30 feet for a second probe, resulting in a total height of 160 feet. Taller stacks also improve air dispersion, reducing emissions impact on surrounding areas.

There is no apparent benefit to the Applicant from the variance beyond meeting regulatory requirements. In fact, the taller stacks increase design, construction, and maintenance costs, and the Applicant would prefer shorter stacks if not for EPA

requirements and air quality considerations. Other similar plants in Elmore County, including Danskin Power Plant, have shorter exhaust stacks due to different requirements based on design and regulations in place at the time of their construction.



3. The variance shall not be detrimental to the public health, safety, and welfare.

Staff Response:

The Applicant states that the increased exhaust stack height will improve public health by enhancing pollutant dispersion from the gas turbines. The primary public safety concern raised has been potential interference with air traffic. The Applicant has coordinated with the Idaho National Guard, Mountain Home Air Force Base, and private and municipal airports in Elmore County. To address visibility, lighting on the exhaust stacks is proposed and recommended by Idaho National Guard. Beyond this lighting measure, no additional concerns or requirements regarding stack height have been identified to mitigate impacts on the public health, safety, and welfare.

3 Required Findings for Variances Pursuant to 7-3-13 (C) for VAR-2026-06 Ambient Noise

1. The variance shall not grant a right or special privilege that is not otherwise allowed in the base zone; and

Staff Response:

The proposed power plant and related development is conditionally allowed in the M-2 base zone. Due to the industrial nature of the Simco Road District and M-2 base zone's intended use, these noise levels are common. The surrounding existing industrial uses, including the auto-shredder with 100 dB-110 dB noise generating equipment, and Sawtooth Landfill with 70 dB operational noise, have noise levels

exceeding 58 dB of the Zoning Ordinance, and therefore, the additional ambient noise limit requested does not grant any additional right or special privilege to the proposed use.

2. The variance relieves an under hardship due to characteristics of the site; and

Staff Response:

Under Section 7-2-103(A)(4), Energy Generating Facilities are limited to a maximum ambient noise level of 58 decibels measured 750 feet from the turbine center. Under Section 7-2-106(A)(4) Energy Production Facilities have the same limitation. This standard creates a hardship, as it is impractical for this conditionally allowed use even with reasonable mitigation. The Peregrine Energy Center anticipates elevated sound levels from transformers, turbines, and other electrical equipment. The Applicant plans to reduce noise through measures such as acoustic barriers, vibration isolation, silencers, and sound-absorbing fence materials.

A preliminary sound study (Exhibit 6e) suggests the facility can likely meet the Ordinance's 58-decibel limit, but projected levels are near the maximum even with mitigation. Actual noise levels remain uncertain due to multiple variables including available technology and ambient noise in this fast-growing industrial corridor, and it is possible the facility could exceed the noise limit once built. To ensure the built sound levels remain in compliance with the proposed use's approval, the Applicant requests a variance allowing up to 75 decibels, a level they are confident can be met by the planned development.

3. The variance shall not be detrimental to the public health, safety, and welfare.

Staff Response:

The proposed Peregrine Energy Center will occupy approximately 30 acres within a 160-acre parcel. The nearest other industrial use is a medical waste facility across Simco Road. Residential development is not allowed and does not exist in the Simco Road District.

The Applicant seeks a noise limit 17 decibels above the Zoning Ordinance standard. For context, the Applicant states that this difference is comparable to the sound range between normal conversation and background music or a vacuum cleaner. At the required measurement point, ambient noise from nearby transportation and industrial operations will blend with gas-plant noise, minimizing its impact. Additionally, the noise-generating components are located over 1,000 feet from Simco Road, the closest public road. Given the distance from current and future uses, no nuisance-level difference is expected, and therefore the variance would not be detrimental to public health, safety, or welfare.

STAFF RECOMMENDATION

The use, along with proposed conditions and associated DA-2026-04, 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-2025-32 for a natural gas-plant in M-2 zone with the following conditions of approval.

PROPOSED CONDITIONS OF APPROVAL FOR CUP-2025-32

General

1. A Conditional Use Permit (CUP-2025-32), with a Master Site Plan, is granted to Idaho Power Company (“Applicant”) to construct and operate an a natural-gas fired power plant, switching station, electric transmission lines, and access drives on parcel RP01S04E262410.
2. CUP-2025-32 shall not become effective until the Applicant executes Development Mitigation Agreement DA-2026-04 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 on parcel RP01S04E262410 shall comply with terms and conditions of approval of CUP-2025-32 with Master Plan, terms of the associated DA-2026-04, and the Zoning Ordinance. Any violation thereof shall result in revocation of the CUP-2025-32.
4. Prior to any construction activity at the Site, the Applicant shall notify the Department and receive necessary approvals in compliance with Zoning Ordinance and/or Conditions of Approval.
5. Any violation of a term or condition of the Development Mitigation Agreement (DA-2026-04) shall constitute a violation of the conditions of approval for CUP-2025-32 and may result in the revocation of CUP-2025-32.
6. All improvements authorized under CUP-2025-32 with Master Site Plan shall be fully constructed by December 31, 2031 or three years from the start of construction for each phase, whichever is earlier. For good cause, the Department may administratively grant, at their sole discretion, up to two, one-year extensions. Any extension request beyond the two years shall require a formal modification of CUP-2025-32 and compliance with all County Ordinances in effect at that time.
7. All conditions of approval for CUP-2025-32 and Master Site Plan, and terms of DA-2026-04, shall run with the Site and be binding upon the Applicant and all heirs, transferees, successors, and assigns.
8. Prior to applying for any Site improvements 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.
9. Neither the Applicant nor any other party shall develop any use, construct structures, or make site improvements to the 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.

10. The Applicant shall not modify any canals, ditches, or natural drainage ways not specifically approved in the Master Site Plan. The Applicant shall not modify the drainageways in the southeast quadrant of the Site until a final and refined alignment of transmission lines and access drives is reviewed by the Department and necessary Hillside Grading Permit(s) and Floodplain Development Permit(s) are obtained from the Department.
11. While acknowledging the necessity of Williams Pipeline or its successors building tie-in, metering and related infrastructure on the Site to supply natural gas to the power plant, but such use is not approved as part of this CUP-2025-32 with Master Site Plan approval. The consideration of this natural gas infrastructure shall require separate review, in compliance with the Zoning Ordinance, and if need be, the Planning and Zoning Commission review and approval.
12. Neither the Applicant nor any other party shall develop any use, construct structures, or make site improvements not shown in the current Master Site Plan or CUP-2025-32, unless an amendment to the Master Site Plan is discussed with the Department and submitted, reviewed, and approved in accordance with the Zoning Ordinance.

Specific Actions During Permitting and Construction

13. 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 both phases of the Peregrin Gas Plant.
14. Prior to 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 phases of the approved use.
15. 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.
16. 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.
17. 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.
18. 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

19. Prior to any Site improvements for Phase 2, The Applicant shall conduct a Traffic Impact Analysis, that provide existing traffic counts at the Site, and 5-,10-, and 20-year cumulative growth scenarios for Simco Road, including recommended roadway improvements and their timeframes.
20. Prior to any Site improvements, the Applicant shall coordinate with MHHD and receive their written recommendations for Simco Road improvements to minimize potential delays during construction, and more importantly, to improve traffic safety along Simco Road.
21. Prior to any Site improvements, the Applicant shall submit a Construction Traffic and Parking Plan to the Department that identify designated trip routing to the Site, contractor parking areas, delivery locations, and all proposed traffic mitigation and control measures.
22. Prior to any Site improvements, the Applicant shall coordinate with Idaho Transportation Department (ITD) to ensure that adequate capacity is available at Simco Road Interchange for construction traffic. The Applicant shall provide ITD's written approval to the Department that the necessary mitigation agreements are in place with ITD.
23. Prior to any Site improvements and during construction of both phases, 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 for each phase of the development.
24. The Applicant must obtain Department approval for a sign permit for any signs, not exempt under Title 7, Chapter 7. No signage is shown on the current Master Site Plan.
25. 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 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.
26. 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 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. No lighting shall be installed on the Site unless first found to be in compliance with the Zoning Ordinance by the Department.

27. Prior to building permit for O&M or similar buildings meant for human occupancy, the applicant shall provide a plan for onsite employee parking, including required ADA parking.
28. Prior to building permit for O&M or similar buildings meant for human occupancy, the applicant shall provide a water and wastewater system approval by Central District Health for onsite employees.
29. Prior to any Site improvements, the applicant shall obtain a Permit to Construct from the Idaho Department of Environmental Quality.

Ongoing Requirements

30. 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.
31. 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 during construction and operation of the use.
32. All onsite electrical lines, pipes, conduits, and similar utilities 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.
33. The power plant area and switch yard shall have secure perimeter fencing/walls maintained at all times, including lockable gates, at all times.
34. 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.
35. Removal of vegetative cover shall be limited to areas required for excavation, construction activities for the power plant, switchyard, transmission lines, access drives, and designated firebreaks. All disturbed areas not identified in the Master Site Plan as permanent non-vegetated surfaces shall be revegetated prior to issuance of a Certificate of Occupancy.

36. 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.
37. 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-2025-32.
38. 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.
39. The Applicant shall maintain the Site to prevent, any conditions or development that would constitute a nuisance under Title 8, Chapter 4, at all times.
40. 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.
41. The Applicant shall ensure all property taxes are kept current.
42. The Applicant shall construct, maintain, and operate the Project in compliance with all federal, state, and local regulations at all times.

STAFF RECOMMENDATION

The variances, along with proposed conditions, comply with the requirements of the Elmore County Zoning Ordinance. Based on the evidence presented by Staff's analysis above, Staff recommends that the Commission recommend **approval** of VAR-2026-05 and VAR-2026-06 to the Board of County Commissioners for a natural gas-plant in M-2 zone with the following conditions of approval.

PROPOSED CONDITIONS OF APPROVAL FOR VAR-2026-05:

1. VAR-2026-05 shall be granted to the Applicant to build a power plant that require elements that exceeds maximum height requirements of Table 7-2-27 (B) of the Zoning Ordinance (VAR-2026-05) on Assessors' Parcel Number RP01S04E262410 within the Heavy Industrial/Manufacturing (M-2) zone of unincorporated Elmore County.
2. The maximum height variance allows the power plant and its elements to be up to 160 feet in height.

3. The Applicant shall ensure final construction of structures associated with the power plant, including the exhaust stack, do not exceed 160 feet, and shall provide as-built drawing showing the final constructed height of the exhaust stack(s).
4. The Applicant shall construct, maintain, and operate the Site in compliance with all federal, state, and local regulations at all times.
5. The Applicant shall ensure all property taxes are kept current.
6. Failure to comply with any of the above conditions of approval may result in the revocation of the Variance or CUP-2025-32.

PROPOSED CONDITIONS OF APPROVAL FOR VAR-2026-06:

1. VAR-2026-06 shall be granted to the Applicant to build a power plant that may exceed the maximum ambient noise limit for Energy Generating Facilities established in Section 7-2-103(A)(4) (VAR-2026-06) on Assessors' Parcel Number RP01S04E262410 within the Heavy Industrial/Manufacturing (M-2) zone of unincorporated Elmore County.
2. The maximum ambient noise variance allows the power turbines to generate up to 75 decibels measured at 750 feet away from the turbines.
3. The Applicant shall provide two additional sound studies to verify the turbines generate less than 75dB. One shall be provided prior to building permits for the first structure in the power plant area showing an updated estimate of the noise generated based on refined design and information about final component procurement. An additional one shall be provided during commissioning once all components are installed and operational on both phases.
4. The Applicant shall construct, maintain, and operate the Site in compliance with all federal, state, and local regulations at all times.
5. The Applicant shall ensure all property taxes are kept current.
6. Failure to comply with any of the above conditions of approval may result in the revocation of the Variance or CUP-2025-32.