



# Confined Animal Feeding Operation (CAFO) Application

(Title 9, Chapter 11, Cassia County Zoning Ordinance)

Name of Proposed CAFO: \_\_\_\_\_

Animal Species to be confined: \_\_\_\_\_

Number of Proposed Animal Units: \_\_\_\_\_ Number of Acres: \_\_\_\_\_

**Applicant/Owner Information:** Complete names, addresses and telephone numbers of every owner of real property comprising the CAFO Property. If applicant is not the owner of real property within the CAFO Property, applicant shall also disclose complete names, addresses and telephone numbers of all applicants, and shall furthermore state and clarify their interest(s) in the proposal. (Attach if necessary).

<b>Applicant/Authorized Agent</b>
<i>(Attach authorization to represent &amp; additional pages if Necessary)</i>
Name: _____
Address: _____
City: _____
State: _____ Zip: _____
Contact Phone # _____
Email: _____

<b>Property Owner(s) of Record</b>
<i>(Attach Additional pages if necessary)</i>
Name: _____
Address: _____
City: _____
State: _____ Zip: _____
Contact Phone # _____
Email: _____

**Property Information:**

Physical Location of Property: \_\_\_\_\_

Property Legal Description: (Complete Legal Description of the CAFO Property identifying number of acres for each description; attach if necessary) \_\_\_\_\_

\_\_\_\_\_

- GIS/GPS Property Legal Description Data, in digital file format, submitted to County Mapping Department. (Contact County Mapping Department for file format specifications/requirements)**

Statement of Historical and Existing Use of CAFO Property: \_\_\_\_\_

\_\_\_\_\_

Current Zoning Designation of all real Property within CAFO Property: \_\_\_\_\_

## **Required Submittals:**

- 1. **CAFO Application** and non-refundable application fee set by the County, must be included with any application for a CAFO permit.
- 2. **Personal Information:** Complete names, addresses and telephone numbers of every owner of real property comprising the CAFO Property. If applicant is not the owner of real property within the CAFO Property, applicant shall also disclose complete names, addresses and telephone numbers of all applicants, and shall furthermore state and clarify their interest(s) in the proposal.
- 3. **Legal Description:** The complete legal description of the CAFO Property identifying the number of acres for each description and the geographic information system (GIS) data and global positioning satellite (GPS) data in digital file format that meets County mapping department's requirements for each parcel.
- 4. **Uses of Property:** A statement of the current and historical uses of the CAFO Property described in the application for a CAFO permit.
- 5. **Description of Operation:** A narrative description describing the proposed CAFO, including the species of animals that will be confined, the number of animals that will be confined, the composition of the herd, and a description of the structures and other facilities that will be required to confine, feed and care for the animals and remove the solid and liquid waste produced from the CAFO.
- 6. **Boundary Map:** A map showing the boundaries of the CAFO Property, as well as the boundaries of the CAFO Site and the CAFO Density Acreage together within any real property within one mile of any external boundary of the confined animal feeding operation. The map, which must be drawn to a scale of not less than eight inches (8") to the mile, must show the following:
  - **Land Uses:** Existing land uses.
  - **Zoning:** The present zoning district designation of all real property within the CAFO Property.
  - **Water Bodies:** Existing ditches, canals, live streams, or other bodies of water, together with any floodway as defined by the Cassia County Flood damage prevention ordinance Title 12, and accompanying map, demonstrating compliance with the setback requirements (***Title 9 Cassia County Code***).
  - **Wells:** Existing wells (domestic or agriculture) located within a one (1) mile radius of any proposed barn, corral, lagoon, structure for containing liquid waste, or feed storage structures or areas, associated with the proposed CAFO, demonstrating compliance with the setback requirements. (***Title 9 Cassia County Code***).
  - **Structures:** The dimensions and locations of any barns, corrals, lagoons, other structures for containing liquid waste, compost yards, feed storage areas, or feed storage structures or areas, on the proposed CAFO site, demonstrating compliance with the setback requirements. (***Title 9 Cassia County Code***).
  - **Residences and Roads:** The location of all residences, other buildings intended for human occupancy, and all public roads on the CAFO site and within a one (1) mile radius of the CAFO site boundaries demonstration compliance with the setback requirements. (***Title 9 Cassia County Code***).
  - **Distances:** The map must show the following distances expressed to the nearest ten feet (10'):
    - **External Boundaries to Residences:** Distances from external boundary lines of the confined animal feeding operation to residences or other buildings intended for human occupancy outside the CAFO boundaries;
    - **Lagoons:** Distances from lagoons to external boundary lines of the confined animal feeding operation area and to all residences or other buildings intended for human occupancy outside the CAFO boundaries;
    - **External Boundaries to Highways:** Distances from external boundary lines of the confined animal feeding operation to public highways or floodways.

- 7. **Topographical Map:** A separate topographical map shall be submitted showing elevation contours at intervals of not less than twenty feet (20'), or at such other intervals as approved by the Zoning Administrator.
- 8. **Waste Management:** A narrative concerning the waste management plan of the CAFO site, including, but not limited to, the exact means and methods by which the applicant proposes to dispose of liquid and solid waste generated from the CAFO. The narrative statement shall include a description of the means and methods by which the applicant will ensure that solid and liquid waste will not escape the boundaries of the confined animal feeding operation, or enter the waters of the United States of America, together with an operations plan for any Composting Operation undertaken by the CAFO. The acres required for the waste management system, as determined by the Nutrient Management Plan (NMP) shall be identified and described as set forth in Cassia County Code 9-11-6B. Such identified acres, and other CAFO Density Acreage, as are included in the CAFO Property, shall not be included in any other CAFO Property or for considerations for any other NMP purposes, but may be used for other agricultural purposes, which must be set forth in the application to develop a new CAFO or to enlarge or amend an existing CAFO, involving livestock, poultry, furbearing animals, or any other animal, so long as such other agricultural uses would not constitute a CAFO and the total number of animal units permitted within the CAFO on account of such acres also used for other agricultural purposes involving livestock, poultry, furbearing animals, or any other animal is adjusted in proportion to the equivalent animal units associated with such other agricultural purposes. It is the intention of Cassia County that CAFO Density Acreage included as CAFO Property may also be utilized for other agricultural purposes set forth and approved in the CAFO application involving livestock, poultry, furbearing animals, or any other animal, so long as such other uses are compatible with the CAFO uses, the land can support the shared use, and such shared use does not result in the animal units used on such property to exceed the permitted densities for CAFOs established. *(Title 9 Cassia County Code).*
- 9. **Water Rights:** A writing from the department of water resources of the state of Idaho, including a profile of all water rights necessary for the operation of the confined animal feeding operation or, if those rights have not yet been granted, proof that an application for transfer or other suitable application has been filed with the department of water resources which, if granted, would allow sufficient water rights to permit a lawful operation of the new confined animal feeding operation.
- 10. **Impact Statement:** Irrigation District, Canal Company, Groundwater District, Surface Water District, Public Water System, or any other such like entity Impact Statement. Applicant shall obtain an impact statement from the irrigation district, canal company, groundwater district, surface water district, public water system, or any other such like entity (such entities being referred to hereinafter as "Water System") within which Applicant's proposal will be located. Such impact statement is required before the Application can be deemed complete, so as to proceed to hearing before the Commission. Applicant shall provide the appropriate Water System with a copy of its proposed change of use and a copy of the Applicant's proposal that was filed with the Zoning and Building Department for Cassia County. The affected Water System shall then provide a report detailing the impact of the proposed change of use on the Water System and shall set forth any concerns or information that the Water System has, relative to the proposed use, that would negatively impact the Water System's stabilization or conservation actions. The affected Water System may also propose reasonable conditions to be considered for imposition upon the Applicant related to mitigating or minimizing such negative impacts on the Water System. Water System shall provide Applicant with an estimate of the cost of preparation of such impact statement before beginning its preparation. Applicant shall pay reasonable costs of the preparation of an impact statement to the affected Water System.
- 11. **Statement of Compliance:** A notarized statement that the applicant will, as a condition of permit approval, (i) construct and operate the confined animal feeding operation consistent with its application for a CAFO permit; (ii) operate consistent with the nutrient management plan in keeping with the lawful directives of the state of Idaho department of agriculture or state of Idaho department of environmental quality with respect to location and construction of lagoons, the application of liquid and solid waste from the CAFO and other matters within the jurisdiction of the department of agriculture or DEQ; and (iii) not modify the CAFO Property subject to the CAFO permit.

- 12. **Comment Letters:** Applicant shall supply proof that letters have been requested from the highway districts having jurisdiction over public roads shown within or immediately adjacent to the CAFO site as designated on the previously described map and from any canal company owning ditches or canals that are within or immediately adjacent to the CAFO site as designated on the previously described map, as well as any utility company or other easement holders of record pertaining to land within or abutting the designated CAFO site. Response letters from highway districts, canal companies, utility companies or other easement holders should recommend conditions that Board of County Commissioners should consider imposing as conditions of approval, or provide written comments otherwise relative to the proposal.
- 13. **Lighting:** The map accompanying the application must show the location of all corral or yard lights, and the application shall otherwise demonstrate that the lights have been designed to reflect downward and onto the CAFO to prevent escape of light and glare outside the boundaries of the CAFO area.
- 14. **Demonstration of Setback Compliance:** The applicant shall demonstrate compliance with all setback requirements set forth in this chapter, unless an exception or waiver to standards established by this chapter have been granted.
- 15. **Neighboring Property Owners:** A list of names and addresses of all real property owners owning real property located within one (1) mile of the external boundaries of the CAFO Property. **(This information can be obtained from Cassia County Assessor's Office: 208-878-3540)**
- 16. **County Weed Plan:** A plan developed in conjunction with the **Cassia County Weed Department** setting forth suitable methods, managements and practices for controlling weeds on and involved with the proposed development herein. Weeds shall be defined by state of Idaho noxious weed statutes, laws and regulations.
- 17. **Pasture Management Plan:** If an applicant for a CAFO permit desires to graze its animals in pastures and seeks to have the setback requirements for such pastures subject to an exception or waiver pursuant to Section 9-11-2N, such an applicant shall, in addition to obtaining a CAFO permit, obtain approval of a Pasture Management Plan, which shall be a condition to obtaining relief from having such pastures being subject to the setbacks associated with the CAFO Site. In addition to the CAFO permit, an applicant seeking to have its pastures excluded from being subject to the setbacks associated with the CAFO Site, such an applicant shall submit a Pasture Management Plan, which shall include a site plan depicting the location of the pastures subject to the Pasture Management Plan, the location of all supplemental feeding and watering areas for such animals, and a narrative setting forth the land management practices and animal rotation practices that will be applied to such pastures. Approval of a CAFO permit providing exception or waiver pursuant to Section 9-11-2N for the maintenance of animals in pastures excluded from being subject to the setbacks associated with the CAFO Site shall be conditioned upon the ongoing adherence to the approved Pasture Management Plan, and such other conditions as the Planning and Zoning Commission may recommend and the Board of County Commissioners may impose. A Pasture Management Plan shall only be required when a CAFO permit seeks exception or waiver pursuant to Section 9-11-2N for pastures from being subject to the setbacks associated with the CAFO Site. In granting an exception or waiver from the setbacks associated with the CAFO Site for such pastures, the approving body shall specify the actual setbacks that the pastures must meet. Notwithstanding the foregoing and notwithstanding the approval of a Pasture Management Plan, pastured animals that are watered or supplemented with any feed shall not be watered or fed in an area located closer than four hundred feet (400') from the property line and that setback shall not be subject to exception or waiver pursuant to Section 9-11-2N. Approval of a Pasture Management Plan and any exception or waiver of setbacks shall be pursuant to Section 9-11-2N. Upon approval of a Pasture Management Plan, the Owner or Operator of the CAFO shall annually report its compliance with and adherence to the Pasture Management Plan pursuant to Section 9-11-14.
- 18. **Complete Application:** Until all items listed herein are submitted to the satisfaction of the Zoning Administrator, any application for a CAFO permit made with the zoning department is deemed only to be lodged, but not to be filed. Only a complete CAFO permit may be filed. Applicants shall confer with the Zoning Administrator to identify those items that may be utilized from a prior approval related to the CAFO Property, those items that will be required to be updated, and those items that need to be modified or

corrected prior to the application for a CAFO permit being deemed to be complete. An application for a CAFO permit shall be filed once it is determined to be complete. An application for a CAFO permit shall be considered and evaluated based upon the regulations existing as of the date of filing of the application for the CAFO permit.

- 19. **Certificate of Mailing**, Notice of Hearing, Affidavit of Publication & Affidavit of Posting (*to be submitted after hearing date has been scheduled, and in accordance with Title 9 Chapter 11 Section 8 of County Code*).

Upon departmental review for completeness of the application and accompanying documentation, the application will be scheduled for hearing and placed on the next available Planning and Zoning agenda. Applicant will be notified of the scheduled hearing information, or if additional information is needed to process the application. The County Code for the Confined Animal Feeding Operation requirements and application is found in Cassia County Code Title 9 Chapter 11. **Please review and follow all code requirements when submitting applications.** <https://www.cassia.gov/county-code>.

A sample notice of hearing protocol and other forms for the applicant’s review and reference can be found online at: <https://www.cassia.gov/county-forms-applications>. (*Most Applications are fillable*)

***Until all items listed herein are submitted to the satisfaction of the zoning administrator, any application made with the office of zoning administrator is deemed only to be lodged, but not to be filed. Applications shall be considered and determined based upon the regulations existing as of the date of filing of the application, unless otherwise provided for by action of the Board of County Commissioners.***

**Applicant/Owner Certification:**

*I hereby certify that all information submitted for this application is true and accurate, is prepared to the best of my ability and knowledge, and request that this application be processed for consideration as a Confined Animal Feeding Operation Permit. Additionally, I hereby authorize agents of the county to enter upon this subject property for purposes of review concerning the pending application and for determining compliance with applicable county regulations.*

Signature of Applicant/Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

Printed Name: \_\_\_\_\_

**Attach additional signature pages for additional property owners.**

***For Office Use Only:***

Date Application Lodged: _____	By: _____
Fee Amount Paid: \$ _____	Check # _____ Credit _____
(Fee: \$1200 + \$.25/animal unit)	Application # _____