

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF COUNTY
COMMISSIONERS ON APPLICATION FOR CUP/CAFO PERMITS,
APPLICATIONS: 2023-08-CU/CAFO and 2023-10 VAR**

NOTICE IS HEREBY GIVEN that a public hearing will be held on Monday, the 4th day of December, 2023, at 1:30 o'clock p.m., or as soon thereafter as the matter may be heard, at 1459 Overland Avenue, Cassia County Commission Chambers Room 206, Burley, Idaho before the Cassia County Board of County Commissioners on the application filed by Malta Land and Livestock, LLC, whose address is 4609 West 65th Street, Idaho Falls, Idaho 83402.

This is an Application for a Conditional Use Permit and a Confined Animal Feeding Operation Permit to convert and existing dairy CAFO to cattle feedlot. The property is located on lands at approximately 2000 South Hwy 81, Malta, Cassia County, Idaho, more particularly described at Exhibit #10 in the file held by the Cassia County Zoning and Building Department. Such lands are located within the Prime Agricultural zone. The proposal also applied for a variance from setbacks for lagoons, run off ponds and livestock pens from the property line; setbacks from the CAFO boundary to existing dwellings not located on the CAFO; and setbacks from corrals to the edge of right-of-way.

The proposed CUP/CAFO Application and Variance Application were heard before the Planning and Zoning Commission on the 21st Day of September, 2023. Following presentation of application and public comment, the Planning and Zoning Commission recommended that the proposed application be approved with conditions. Written recommendation was received by the Board on Monday, October 23, 2023 from the Planning and Zoning Commission as Planning and Zoning Commission Resolution No. 2023-08, requesting that the Board hold a public hearing on the matter, and further that the Commission recommends that the Board approve the matter with stated conditions.

The applicants or their representatives will appear at this hearing to provide the Cassia County Board of County Commissioners information required for consideration of the requested CUP/CAFO permits and requested variances. Interested members of the public shall have an opportunity to be heard in the matter. At the public hearing, those signing up to testify concerning the proposed CUP/CAFO application and/or Variance application will be allotted time to do so, generally with the total hearing time being divided in equal measures amongst those signing up. The Board reserves the right to limit repetitive testimony and to halt irrelevant testimony. Spokespersons for those groups sharing the same or similar testimony are encouraged.

Written testimony concerning the proposed applications may also be submitted to the Board up to the time that the hearing is closed, after which time no additional written or oral testimony will be received, unless specifically requested and invited by the Board hereafter.

A copy of the Applications for Conditional Use Permit and Confined Animal Feeding Operation Permit and Variance request, and information concerning the hearing process is available for review by the public at the Zoning and Building Department Office, Room 210, of the Cassia County Courthouse, 1459 Overland Avenue, Burley, Idaho prior to the hearing, during normal business hours.

Cassia County Zoning Administrator

/s/ Kerry D. McMurray
Kerry D. McMurray