



# Public Notice

**US Army Corps  
Of Engineers**

Walla Walla District  
201 North Third Avenue  
Walla Walla, WA 99362-1876

**REGIONAL GENERAL PERMIT, IDAHO**

Intent to Issue

DATE OF NOTICE: October 23, 2009

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Walla Walla District of the U.S. Army Corps of Engineers has reduced the scope and is issuing Regional General Permit, Idaho (RGPI) to authorize certain work in a portion of the Navigable Waters of the United States within the State of Idaho. The regional permit is attached to this notice, and is available on our website at <http://www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm>

**ACTIVITIES** – The following non-commercial activities would be authorized under the RGPI provided they meet the required terms and conditions. Separate approval for these activities may be required from the Idaho Department of Lands and/or the Idaho Department of Water Resources.

- Piers and floating docks
- Marine launching rails
- Mooring piles
- Portable boat-lift stations

**WATERS COVERED BY RGPI** – Navigable waters of the United States within the State of Idaho, except the Clearwater River from its confluence with the Snake River to the North Fork and the North Fork Clearwater River upstream to Dworshak Dam; Lake Pend Oreille and the Pend Oreille River waters located upstream of Albeni Falls Dam, including their tributaries that are inundated by the summer pool elevation of 2062.5 feet, NGV Datum and the Snake River from Hells Canyon Dam downstream. A complete list of affected waters is provided in the RGPI along with a map showing their location.

**PURPOSE** – To improve efficiencies and to expedite permit processing for activities that have minimal individual and cumulative impacts on the aquatic environment and to reduce the associated costs of permitting.

**REGULATORY AUTHORITY** – Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) requires a Department of the Army permit for work or structures waterward of the ordinary high water mark in navigable waters of the United States or that would affect the course, condition, or capacity of the navigable waters.

**BACKGROUND** – Regional permits are Department of the Army permits issued on a regional basis for categories of activities that: 1) are substantially similar in nature and cause only minimal individual and cumulative environmental impacts; or 2) would avoid unnecessary duplication of regulatory control exercised by another Federal, state, or local agency.

**CULTURAL RESOURCES** – Applicants for utilizing the RGPI are required to send a copy of the application to the SHPO as provided in Section VI of the RGPI.

**ENDANGERED SPECIES** – Critical habitat for endangered species has been excluded from the RGPI. Activities authorized by the RGPI should have no affect on endangered species.

**EVALUATION** – The decision to issue a permit was based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision reflects the national concern for both protection and utilization of important resources. The benefit, which are reasonably expected to accrue from the proposal were balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal were considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

**CONSIDERATION OF PUBLIC COMMENTS** – The Corps of Engineers invited comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to evaluate the impacts of this proposed activity. All comments received were considered. As a result RGPI has been significantly reduced in scope. The minor fills portion to the RGPI has been removed; the Clearwater River and the North Fork Clearwater River upstream to Dwarshak Dam have been removed as critical habitat for endangered species; the Snake River downstream of Hells Canyon Dam has been removed as critical habitat for endangered species and as a wild and scenic river; and notification procedures were established for alerting the State Historic Preservation Office (SHPO) and the Idaho Department of Fish and Game of applications for use of the RGPI.

**PUBLIC HEARING** – No requests for public hearing were received and it was determined that a public hearing was not warranted for issuance of the RGPI.

**COMMENTS RECIEVED** – All comments received in response to the Public Notice of August 28, 2009 have been made of the permanent record.

David B. Barrows  
Chief, Regulatory Division