



**US Army Corps
Of Engineers**
Walla Walla District
201 North Third Avenue
Walla Walla, WA 99362-1876

Public Notice:

Application for Permit

APPLICATION NO.: NWW-2012-127-I02

WATERWAY: Big Wood River

APPLICANT: City of Bellevue

DATE ISSUED: 12 July 2012

END DATE: 11 August 2012

30-Day Notice

Interested parties are hereby notified that this District has received an application for a Department of the Army permit for certain work in waters of the United States, including wetlands, as described below and shown on the attached drawings, titled "Bellevue/Bouttier West Channel Maintenance" sheets 1 through 3, dated 5/18/12.

APPLICANT: City of Bellevue, P.O. Box 825, Bellevue, Idaho 83313; contact Mr. Craig Eckles 208-788-5351.

USACE PM CONTACT: Idaho Falls Regulatory Office, 900 N Skyline Drive, Suite A, Idaho Falls, Idaho 83402; contact Timm Kennedy at 208-522-1645.

PURPOSE: Applicant stated purpose is to alleviate bank erosion of the left descending river bank that is threatening State Highway 75 by shifting flows in the river.

WATERWAY: Big Wood River

LOCATION: The proposed project would be located on the Big Wood River within Section 36, Township 2 North, Range 18 East, near latitude 43.4601° N and longitude -114.2616° W, in Bellevue, Blaine County, Idaho.

DRIVING DIRECTIONS: The project location is reached from Bellevue, Idaho by traveling south of the Bellevue - Broadford Road Bridge approximately ½ mile to 51 Lower Broadford Road, then east approximately 1,320' to the blocked west channel of the Big Wood River.

AUTHORITY: This permit will be issued or denied under the authority of Section 404 of the Clean Water Act (33 U.S.C. 1344). A Department of the Army permit is required for the discharge of dredged or fill material into waters of the United States, including wetlands.

WORK: The project involves the discharge and redeposit of approximately 4,448.4 cubic yards of dredged and fill (river gravel/cobble) material in the Big Wood River associated with the removal of river gravel/cobble, the construction of a temporary cofferdam, access route to remove the stockpiled material and a temporary spoil site for the stockpiled material. All material will be temporarily stockpiled within the channel prior to removal. The removal of river gravel/cobble from the west channel would involve the discharge of 2,222 cy of dredged material to remove 1,000' length by 20'

wide by 3' deep of bedload material from the Big Wood River. The removal would temporarily impact 1,000' length by 20' wide (0.5 acres) of perennial stream. Material would be removed by front-end loaders pushing the material into piles and then relocating the material to the temporary stockpile location. The construction of the temporary cofferdam would require the discharge of 4.4 cy of fill material to construct a 10' long by 6' wide by 2' high cofferdam. The cofferdam would be constructed out of river gravel/cobble. The cofferdam would impact a 10' long by 6' wide area (0.001 acres) of perennial stream. The access route used to remove the stockpiled material would involve the discharge of dredged or fill material. The access road used to remove the spoiled material will impact a 50' long by 50' wide area (0.06 acres) of perennial stream. The temporary spoil site for the excavated material would involve the discharge of 2,222 cy of fill material. The temporary spoil site would impact a 400' long by 60' wide area (0.6 acres). The location of the proposed work is shown in the attached drawings and maps.

River gravel/cobble will be removed from the blocked west channel and temporarily stockpiled on the gravel bar on the east side of the island. Once the west channel has been opened the east channel will be blocked with a temporary cofferdam to allow removal of the stockpiled gravel across the east channel. The temporary cofferdam will then be removed from the west channel to slowly release flows back into the east channel.

The stockpiled river gravel/cobble that is removed from the west channel Big Wood River will be donated to Blaine County Road & Bridge.

CONSTRUCTION PERIOD: Applicant proposes to start construction 1 September 2012 and end 30 September 2012. The permit would authorize the work (excavation) one time within the next of 3 years.

PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material. Excavation work will be completed when flows are at the lowest to avoid sedimentation and turbidity of the Big Wood River. A temporary cofferdam will be constructed from river gravel and used to block the east channel while the stockpiled material is hauled away from the spoil site. The cofferdam will be removed to slowly release flows back into the east channel to avoid sedimentation and turbidity in the Big Wood River.

The applicant believes removal of river gravel from the west channel will have beneficial results to the river system. The project will allow flows into the west channel of the Big Wood River and will reduce high energy flows and erosion to the banks of the east channel of the Big Wood River. The applicant states the riparian vegetation and habitat for fish species should benefit in the west channel once flows are reestablished in the west channel.

The applicant is not proposing compensatory mitigation for the project as they believe the project will not have any permanent impacts to the aquatic or riparian environment. The applicant stated the intent to implement Best Management Practices (BMPs) in the construction plans. The applicant has proposed (1) to complete the project when flows are at their lowest (2) To remove the river gravel/cobble that is blocking the west channel one tier at a time to insure the remaining grade supports flows and does not create a dam effect potentially causing adjoining property damage (3) No fueling of vehicles will be done at the project site (4) The spoiled material will be removed within 30 days of placement and (5) The site shall be inspected and monitored daily for compliance.

WATER QUALITY CERTIFICATION: This notice will also serve as public notice that the Idaho Department of Environmental Quality (IDEQ) is evaluating whether to certify that the discharge of dredge and/or fill material proposed for this project will not violate existing water quality standards. A Department of the Army permit will not be issued until water quality certification has been issued or waived by the IDEQ, as required by Section 401 of the Clean Water Act. If water quality certification is not issued, waived or denied within sixty (60)-days of this public notice date, and an extension of this period is not requested by and granted to the IDEQ, certification will be considered waived. Additionally, within thirty (30)-days of this Public Notice, any person may provide written comments to IDEQ and request in writing that IDEQ provide them notice of their preliminary 401 Certification decision. Comments concerning Water Quality Certification for this project should be mailed to: Idaho Department of Environmental Quality, Twin Falls Regional Office, 1363 Fillmore Street, Twin Falls, Idaho 83301.

AQUATIC RESOURCE DESCRIPTION: The Big Wood River is located in the Big Wood Watershed (HUC 17040219).

The proposed project is located in a river channel and typical river gravel bar that primarily consists of cobble and gravel material. The impact area has little to no vegetation. The Cowardin class is riverine, upper perennial, unconsolidated bottom, cobble.

ANTICIPATED IMPACTS ON AQUATIC ENVIRONMENT: Total impacted waters of the United States associated with the proposed removal of river gravel from the blocked west channel of the Big Wood River include:

* 1,000' length by 20' width (0.5 acres) of perennial stream from discharges associated with the removal of river gravel/cobble from the blocked west channel of the Big Wood River.

* 10' length by 6' width (0.001 acres) of perennial stream from discharges associated with the construction and removal of a temporary cofferdam.

* 50' length by 50' width (0.06 acres) of perennial stream from discharges associated with the use of an access route to remove the stockpiled material from the island area through the east channel of the Big Wood River.

* 400' length by 60' width (0.6 acres) of the island area will be used for a temporary spoil site for river Gravel/cobble. The island that will be used as the spoil site is located below the ordinary high water mark.

Total proposed impacts to waters of the United States at the project site equal 1.161 acres. The removal of 0.5 acres of river gravel/cobble from the west channel is jurisdictional since a front loader will be used to remove and stockpile the material. The impacts for the proposed project will be temporary.

OTHER AUTHORIZATIONS: Other authorizations requested include Water Quality Certification from the Idaho Department of Environmental Quality. An Idaho Department of Water Resource's Stream Alteration Permit will also be required.

CULTURAL RESOURCES: Coordination is currently being conducted with the Idaho State Historic Preservation Office to determine if this activity will affect a site that is listed on the National Register of

Historic Places, or a site that may be eligible for listing on the Register. We are also coordinating with the appropriate Tribal entity or the Tribal Historic Preservation Offices for the Shoshone-Bannock and Shoshone Paiute Tribes, to determine if there are any tribal historic or cultural interests within the project area.

TRIBAL TREATY RIGHTS and INTERESTS: Federal agencies acknowledge the federal trust responsibility arising from treaties, statues, executive orders and the historical relations between the United States and American Indian Tribes. The federal government has a unique trust relationship with federally recognized American Indian Tribes, including the Shoshone-Bannock and Shoshone Paiute Tribes. The Corps has a responsibility and obligation to consider and consult on potential effects to Tribal rights, uses and interests. The Corps further recognizes there may be a need for additional and on-going consultation.

ENDANGERED SPECIES: A list of federally listed species for the project area includes the Canada lynx (*Lynx Canadensis*), Wolverine (*Gulo gulo*) and Bull trout (*Salvelinus confluentus*). The Canada lynx, Wolverine and Bull trout are listed as threatened species. Bull trout have designated critical habitat within Blaine County, Idaho.

There is no suitable habitat for the Canada lynx, Wolverine or Bull trout within the project location. Preliminarily we have determined the project will have no effect on these species or their designated critical habitat.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service on all actions or proposed actions, permitted, funded or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). No EFH species occur in the project area. Preliminarily, we have determined the described activity would have no effect on EFH.

ENVIRONMENTAL IMPACT STATEMENT: Preliminary review indicates the proposed activities will not require preparation of an Environmental Impact Statement. Comments provided will be considered in preparation of an Environmental Assessment.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. This decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be 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. In addition, our evaluation will include application of the EPA Guidelines (40 CFR 230) as required by Section 404(b)(1) of the Clean Water Act.

CONSIDERATION OF PUBLIC COMMENTS: The Corps of Engineers is soliciting comments from the general public; Federal, State and local agencies and officials, Tribal entities and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments

received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this proposed activity. Requests for a public hearing shall state specific reasons for holding a public hearing.

COMMENT & REVIEW PERIOD: Interested parties are invited to provide comments on the proposed activity, which will become a part of the record and will be considered in the final decision.

Please mail all comments to:

U.S. Army Corps of Engineers
Timothy Kennedy
Idaho Falls Regulatory Field Office
900 N Skyline Drive, Suite A
Idaho Falls, Idaho 83402

Comments should be received no later than the comment due date of **11August 2012**, as indicated on this notice, to receive consideration.

James M. Joyner
Regulatory Project Manager
Walla Walla District

Enclosures