



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-2012-648-B01

WATERWAY: Little Wood River

APPLICANT: Carey Flood Control District #2

DATE ISSUED: February 5, 2013

END DATE: March 7, 2013

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, as described below and shown on the attached drawings entitled *Carey Flood Control District #2*, dated *November 1, 2012*.

APPLICANT: Carey Flood Control District #2, PO Box 323, Carey, Idaho 83320, telephone number 208-720-5470, Point of Contact: Mr. Alan Peterson

USACE PM CONTACT: Greg Martinez, telephone 208-345-2154 or email: greg.j.martinez@usace.army.mil

PURPOSE: The purpose of the work is to conduct channel maintenance and restore river capacity by removing willows and cottonwood trees which have encroached into the river channel and are obstructing river flows especially at roadway bridges.

WATERWAY: Little Wood River

LOCATION: The proposed project would be located from River Mile 64 upstream to River Mile 75, approximately 4.5 miles downstream of the Town of Carey to 4 miles upstream of Carey. The project area is within portions of Sections 30 and 31 of Township 1 North, Range 21 East, portions of Sections 5, 8, 17, 21, 26, 27, 28, 34 and 35 of Township 1 South, Range 21 East and portions of Sections 2, 11, 14, 15, 16, and 21 of Township 2 South, Range 21 East, in Carey, in Blaine County, Idaho.

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: Work would consist of removing existing vegetation that has been established in the river bed. This consists primarily of willow and cottonwood trees. The trees/shrubs would be excavated from the river bed and placed along the top of the bank in uplands. Holes left by removal of the vegetation would be back filled by redistributing river gravels. Some site specific reaches of the river has extensive tree and shrub growth in the channel and channel cleaning work could result in the reposition of up to 50 cubic yards of river gravels at these sites (see Drawing 2 of 4). Gravel bars would be smoothed as needed within the project reach to improve stream flows. At extreme sites re-grading of gravel bars could exceed 1000 cubic yards (See drawing 3 of 4). Maintenance work would also remove accumulated woody debris piles, and other miscellaneous debris within the river channel such as wire, discarded fence posts, broken concrete, irrigation pipe, etc. All in channel work would be conducted when the river is dry, normally from June through February. Carey Flood Control District #2 proposes

to access the sites by walking a tracked excavator and/or bulldozer down the river channel from the Little Wood River Diversion at approximate River Mile 75 downstream to River Mile 64.

ADDITIONAL INFORMATION: During the fall of 2011, the applicant conducted work as described above from the Little Wood Diversion Dam downstream for approximately 1.5 miles. Little to no additional work is required in this reach in the near future.

CONSTRUCTION PERIOD: Applicant proposes to start construction summer 2013 and end summer 2018. The permit would authorize construction for a period of five years.

PROPOSED MITIGATION: The applicant does not propose any mitigation measures beyond those actions described below. Work would result in the restoration of the river bed by removing vegetation that has become established in the river bed. No wetlands would be filled as upland exists to the waters edge along each bank.

Avoidance: Work would be confined to the river bed. All material removed from the riverbed would be either side cast into upland areas along the river or hauled away and disposed of at an upland location.

Minimization: Only trees, shrubs and miscellaneous debris in the channel would be removed. Reaches that are free of in channel vegetation and/or debris would not be disturbed.

Compensatory Mitigation: The applicant does not propose any compensatory mitigation to compensate for the temporary disturbance to the river bed.

OTHER ENVIRONMENTAL DOCUMENTS and DA PERMITS ISSUED TO APPLICANT:
None

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/or 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, Southern Regional Office, 1363 Fillmore Street, Twin Falls, Idaho, 83301.

AQUATIC RESOURCE DESCRIPTION: The Little Wood River originates in the Pioneers Mountains of northern Blaine County near elevation 9832 feet and is free flowing until it enters the Little Wood River Reservoir, it then flows through the Town of Carey, past Richfield, then past Shoshone, ending its 130 mile journey when it discharges to the Big Wood River near Gooding, Idaho. At higher elevations trees along the river appear singularly or in scattered groups but not as a continuous forest. Within the project area cottonwood trees are present along the river from the diversion dam downstream for about 1.5 miles. However below this point the adjacent banks are void of trees and normally vegetated with sage brush and upland grasses. Substrate is primarily gravel and sand.

At approximate River Mile 75, the Little Wood River irrigation diversion diverts all flows into the East and West Canals beginning April 1 through October leaving the river dry from River Mile 75 down through the Town of Carey and does not flow again until Silver Creek enters the river near River Mile 60. Compounding this, the Bureau of Reclamation ceases water releases from the Little Wood

Reservoir Dam on or about November 1 and holds all inflow to refill the reservoir whose primary function is storage for irrigation water. Flow within the project reach, when excess water is available, normally occurs from February to June. Water releases during this period of time is to provide adequate space in the reservoir to hold spring snow melt and reduce the risk of flooding in the Town of Carey. During poor snow years there are no early season water releases and the project reach of the Little Wood River may not flow at all for the entire year. The lack of prolonged flow within the project reach is the major reason that allows encroachment of the river bed by riparian and upland vegetation.

ANTICIPATED IMPACTS ON AQUATIC ENVIRONMENT: Disturbance to limited areas of the river channel from River Mile 64 upstream to River Mile 75 associated with tree removal and minor re-grading of gravel bars that restrict river flows.

OTHER AUTHORIZATIONS: The applicant has applied for a Stream Alteration Permit from the Idaho Department of Water Resources and a floodplain construction permit from Blaine County Planning and Zoning.

CULTURAL RESOURCES: Coordination is currently being conducted with the office of the Idaho State Historic Preservation Officer 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 Tribes of the Fort Hall Reservation and the 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: No listed threatened or endangered species or designated critical habitats are known to exist in the project area. Coordination is currently being conducted with the United States Fish and Wildlife Service (USFWS) to determine if the activity will have any effect on species designated as endangered or threatened under the Endangered Species Act, or their critical habitat, under the Endangered Species Act of 1973.

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 are known to use 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
Greg Martinez
Boise Regulatory Field Office
10095 W. Emerald Street
Boise, Idaho 83704
greg.j.martinez@usace.army.mil

Comments should be received no later than the comment due date of **March 7, 2013**, as indicated on this notice, to receive consideration.

Gregory J. Martinez
Project Manager, Regulatory Division
Walla Walla District

Enclosures