

# JOINT APPLICATION FOR PERMITS

## U.S. ARMY CORPS OF ENGINEERS - IDAHO DEPARTMENT OF WATER RESOURCES - IDAHO DEPARTMENT OF LANDS

**Authorities:** The Department of Army Corps of Engineers (Corps), Idaho Department of Water Resources (IDWR), and Idaho Department of Lands (IDL) established a joint process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and State of Idaho. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. State permits are required under the State of Idaho, Stream Protection Act (Title 42, Chapter 38, Idaho Code and Lake Protection Act (Section 58, Chapter 13 et seq., Idaho Code). In addition the information will be used to determine compliance with Section 401 of the Clean Water Act by the appropriate State, Tribal or Federal entity.

**Joint Application:** Information provided on this application will be used in evaluating the proposed activities. Disclosure of requested information is voluntary. Failure to supply the requested information may delay processing and issuance of the appropriate permit or authorization. **Applicant will need to send a completed application, along with one (1) set of legible, black and white (8½"x11"), reproducible drawings that illustrate the location and character of the proposed project / activities to both the Corps and the State of Idaho.**

**See Instruction Guide** for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers.

**Do not start work until you have received all required permits from both the Corps and the State of Idaho**

FOR AGENCY USE ONLY										
USACE NWW- 2019-00577		Date Received: <b>01/16/2020</b>		<input type="checkbox"/> Incomplete Application Returned			Date Returned:			
Idaho Department of Water Resources No.		Date Received:		<input type="checkbox"/> Fee Received DATE:			Receipt No.:			
Idaho Department of Lands No.		Date Received:		<input type="checkbox"/> Fee Received DATE:			Receipt No.:			
<b>INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED</b>										
<b>1. CONTACT INFORMATION - APPLICANT</b> Required:					<b>2. CONTACT INFORMATION - AGENT:</b>					
Name: Josh Davis					Name: David Sterling					
Company: Cascade River, LLC					Company: T-O Engineers					
Mailing Address: 23 Warm Lake Hwy					Mailing Address: 2471 S. Titanium Place					
City: Cascade			State: ID	Zip Code: 83611		City: Meridian			State: ID	Zip Code: 83642
Phone Number (include area code): 208-630-4090		E-mail: josh@graniteexcavation.com			Phone Number (include area code): 208-860-7946		E-mail: dsterling@to-engineers.com			
3. PROJECT NAME or TITLE: The River District Subdivision					4. PROJECT STREET ADDRESS: N/A					
5. PROJECT COUNTY: Valley County		6. PROJECT CITY: Cascade			7. PROJECT ZIP CODE: 83611		8. NEAREST WATERWAY/WATERBODY: North Fork Payette River			
9. TAX PARCEL ID#: RP14N04E310605		10. LATITUDE: 44.500115		11a. 1/4: SW	11b. 1/4: SE	11c. SECTION: 31	11d. TOWNSHIP: 14N		11e. RANGE: 4E	
12a. ESTIMATED START DATE: May 2020		12b. ESTIMATED END DATE: May 2025			13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES Tribe:					
13b. IS PROJECT LOCATED IN LISTED ESA AREA? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES					13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES					
<b>14. DIRECTIONS TO PROJECT SITE:</b> Include vicinity map with legible crossroads, street numbers, names, landmarks.  Heading south on State Highway 55 for approximately 2 miles from downtown Cascade, Idaho, the proposed property for The River District subdivision is located on the left (northeast) near mile post 113.7, immediately south of the Payette River, east of State Highway 55.										
<b>15. PURPOSE and NEED:</b> <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Public <input checked="" type="checkbox"/> Private <input type="checkbox"/> Other Describe the reason or purpose of your project; include a brief description of the overall project. Continue to Block 16 to detail each work activity and overall project.  To provide mixed-use development that includes single family and multi-family housing, open space, commercial development and associated support facilities near State Highway 55 in Cascade, Idaho, to meet local demand. The project includes construction of 12 commercial lots, 135 single family lots, 9 cottage lots, 43 townhouse lots, 52 multi-family lots, and 33 common lots as well as utilities, roads, parking areas, and other associated developments.										

16. DETAILED DESCRIPTION OF EACH ACTIVITY WITHIN OVERALL PROJECT. Specifically indicate portions that take place within waters of the United States, including wetlands: Include dimensions; equipment, construction, methods; erosion, sediment and turbidity controls; hydrological changes: general stream/surface water flows, estimated winter/summer flows; borrow sources, disposal locations etc.:

Construction within wetland areas associated with The River District Subdivision include: 1) the use of land clearing equipment to remove remove existing vegetation (including trees, shrubs, stumps, and roots); 2) use of earth-moving equipment to place of fill (such as dirt, rock, gravel, or structural fill for roads); 3) use of motor graders or compactors to prepare road or lot base; 4) use of earth moving equipment to place topsoil and backfill; and 4) use of excavation and grading equipment to create the pond area.

The project area contains 15.72 acres of Palustrine Emergent (PEM) wetlands that received an approved jurisdictional determination, attached, (NWW-2019-0577-B03) by the USACE on November 1, 2019. A functional assessment was carried out that classifies the existing wetlands as Category III wetlands (please refer to the Conceptual Mitigation Plan, attached).

Based on the preliminary design sheets (attached), permanent wetland impacts are expect to total 1.59 acres or 69,260 square feet (SF).

Wetlands associated with the Payette River backwater channel account for 0.54 acres (23,522 SF) of impacts due to grading and filling (referred to as "Assessment Area A").

Wetlands associated with drainage areas, adjacent properties drain through the development from east/southeast towards the Payette River, account for 1.05 acres (45,738 SF) of impacts due to grading and filling (referred to as "Assessment Area B"). Primary impacts to wetlands are to construct roads and grading lots for development.

17. DESCRIBE ALTERNATIVES CONSIDERED to AVOID or MEASURES TAKEN to MINIMIZE and/ or COMPENSATE for IMPACTS to WATERS of the UNITED STATES, INCLUDING WETLANDS: See Instruction Guide for specific details.

A 404(b)(1) alternatives analysis was performed to identify the least environmentally damaging practicable alternative (LEDPA) for the proposed project (attached). Through an analysis of off-site alternatives, no other site is available that is capable of practicably supporting the proposed development. Due to the projects location and the previous extension of city of Cascade's urban services, the property's development is pending. An analysis of on-site alternatives found the proposed project to be the LEDPA which satisfies project's purpose and need.

The proposed development has been designed to avoid and minimize impacts to delineated wetland areas to the greatest extent possible. Roads and lots use upland areas where possible to retain the existing wetlands (see attached preliminary design sheets). As a result, approximately 90% (14.13 acres) of wetlands will be avoided due to planning and engineering design. Due to the extent and dendritic pattern of wetlands throughout the project area, required road connections, and desired lot density, there are no practical measures to entirely avoid wetland impacts. Wetland impacts will be minimized through implementation of Best Management Practices (BMPs) and implementation of a Stormwater Pollution Prevention Plan (SWPPP), as described in Section 26b. Approximately 0.19 acres will also be minimized through a protection easement (please refer to page 4 of the preliminary design sheets).

18. PROPOSED MITIGATION STATEMENT or PLAN: If you believe a mitigation plan is not needed, provide a statement and your reasoning why a mitigation plan is NOT required. Or, attach a copy of your proposed mitigation plan.

Permanent impacts of 1.59 acres (69,260 SF) of wetlands are related to the construction of The River District subdivision. As outlined in the Conceptual Wetland Mitigation Plan, attached, the proposed mitigation will establish 5.02 acres of new PSS wetlands. Based on the functional uplift of the mitigation area, the mitigation ratio is expected to be 1:2.8, necessitating a minimum of 4.51 acres of mitigated wetlands. With a total proposed mitigation area of 5.02 acres, there is a high probability that the 4.51 minimum mitigation requirements will be realized. The plantings, which include both PEM and PSS species, will increase the stratification and provide habitat and filtration values within the newly created wetland areas. The plantings also include up to nine (9) wetland species that provide pollinator habitat. Performance goals will be achieved through maintenance, monitoring and adaptive management over five (5) full growing seasons. All performance standards must be met for three (3) consecutive years (typically years 3 through 5), at which point monitoring may be extended if performance standards have not been met. The required annual reporting provides the avenue of active agencies coordination over the required 5-year monitoring period.

19. TYPE and QUANTITY of MATERIAL(S) to be discharged below the ordinary high water mark and/or wetlands:

Dirt or Topsoil:	5071	cubic yards
Dredged Material:		cubic yards
Clean Sand:		cubic yards
Clay:		cubic yards
Gravel, Rock, or Stone:	3798	cubic yards
Concrete:		cubic yards
Other (describe): asphalt	145	cubic yards
Other (describe):		cubic yards

TOTAL: 9014 cubic yards

20. TYPE and QUANTITY of impacts to waters of the United States, including wetlands:

Filling:	1.59	acres	69260	sq ft.	9014	cubic yards
Backfill & Bedding:	0.489	acres	21282	sq ft.	3083	cubic yards
Land Clearing:	1.55	acres	67657	sq ft.	196	cubic yards
Dredging:		acres		sq ft.		cubic yards
Flooding:		acres		sq ft.		cubic yards
Excavation:	2.37	acres	103072	sq ft.	53034	cubic yards
Draining:		acres		sq ft.		cubic yards
Other:		acres		sq ft.		cubic yards

TOTALS: 5.999 acres 261271 sq ft. 65327 cubic yards

21. HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT? ☒ NO ☐ YES If yes, describe ALL work that has occurred including dates.

Wetland delineation July 2018, Approved Jurisdictional Determination (NWW-2019-0577-B03) issued November 1, 2019.

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

None.

23. ☐ YES, Alteration(s) are located on Public Trust Lands, Administered by Idaho Department of Lands

24. SIZE AND FLOW CAPACITY OF BRIDGE/CULVERT and DRAINAGE AREA SERVED: N/A Square Miles

25. IS PROJECT LOCATED IN A MAPPED FLOODWAY? ☒ NO ☐ YES If yes, contact the floodplain administrator in the local government jurisdiction in which the project is located. A Floodplain Development permit and a No-rise Certification may be required.

26a. WATER QUALITY CERTIFICATION: Pursuant to the Clean Water Act, anyone who wishes to discharge dredge or fill material into the waters of the United States, either on private or public property, must obtain a Section 401 Water Quality Certification (WQC) from the appropriate water quality certifying government entity.

*See Instruction Guide for further clarification and all contact information.*

The following information is requested by IDEQ and/or EPA concerning the proposed impacts to water quality and anti-degradation:

- ☒ NO ☐ YES Is applicant willing to assume that the affected waterbody is high quality?  
☒ NO ☐ YES Does applicant have water quality data relevant to determining whether the affected waterbody is high quality or not?  
☒ NO ☐ YES Is the applicant willing to collect the data needed to determine whether the affected waterbody is high quality or not?

26b. BEST MANAGEMENT PRACTICES (BMP's): List the Best Management Practices and describe these practices that you will use to minimize impacts on water quality and anti-degradation of water quality. All feasible alternatives should be considered - treatment or otherwise. Select an alternative which will minimize degrading water quality

A Stormwater Pollution Prevention Plan (SWPPP) will be implemented prior to and during construction activities that includes a narrative, checklists and plan sheets. Best Management Practices (BMPs) will also be implemented prior to and during construction activities that may include establishment of staging areas, a stabilized construction entrance, and a concrete wash area, and the use of silt fences, fiber rolls, and matting to protect vegetation and soils from vehicle impacts. Fuel and chemicals will be stored at least 150 feet away from wetlands and Waters of the United States. Site stabilization will begin immediately following completion of ground-disturbing activities. Any disturbed wetland areas or areas needing assistance will be re-vegetated via seeding or plantings utilizing species identified in the Wetland Mitigation Plan and based on supplier availability.

Through the 401 Certification process, water quality certification will stipulate minimum management practices needed to prevent degradation.

27. LIST EACH IMPACT to stream, river, lake, reservoir, including shoreline: Attach site map with each impact location.

Activity	Name of Water Body	Intermittent Perennial	Description of Impact and Dimensions	Impact Length Linear Feet
Fill	Payette River backwater channel (Area A)	Perennial	Permanent fill for commercial lot construction	607
Fill	Unnamed drainage areas (Area B)	Intermittent	Permanent fill for roads and residential lot construction	9380
TOTAL STREAM IMPACTS (Linear Feet):				9987

28. LIST EACH WETLAND IMPACT include mechanized clearing, fill excavation, flood, drainage, etc. Attach site map with each impact location.

Activity	Wetland Type: Emergent, Forested, Scrub/Shrub	Distance to Water Body (linear ft)	Description of Impact Purpose: road crossing, compound, culvert, etc.	Impact Length (acres, square ft linear ft)
Fill	PEM at Payette River backwater channel (Area A)	0	Permanent fill for commercial lot construction	23522
Fill	PEM wetlands in drainage areas (Area B)	0	Permanent fill for roads and residential lot construction	45738
TOTAL WETLAND IMPACTS (Square Feet):				69260

29. ADJACENT PROPERTY OWNERS NOTIFICATION REQUIREMENT: Provide contact information of ALL adjacent property owners below.

Name:  
Please refer to the list of adjacent property owners, attached.  
Mailing Address:

City: State: Zip Code:  
Phone Number (include area code): E-mail:

Name:  
Mailing Address:  
City: State: Zip Code:  
Phone Number (include area code): E-mail:

Name:  
Mailing Address:  
City: State: Zip Code:  
Phone Number (include area code): E-mail:

Name:  
Mailing Address:  
City: State: Zip Code:  
Phone Number (include area code): E-mail:

Name:  
Mailing Address:  
City: State: Zip Code:  
Phone Number (include area code): E-mail:

Name:  
Mailing Address:  
City: State: Zip Code:  
Phone Number (include area code): E-mail:

Name:  
Mailing Address:  
City: State: Zip Code:  
Phone Number (include area code): E-mail:

Name:  
Mailing Address:  
City: State: Zip Code:  
Phone Number (include area code): E-mail:

30. SIGNATURES: STATEMENT OF AUTHORIZATION / CERTIFICATION OF AGENT / ACCESS

*Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; or am acting as the duly authorized agent of the applicant (Block 2). I hereby grant the agencies to which this application is made, the right to access/come upon the above-described location(s) to inspect the proposed and completed work/activities.*

Signature of Applicant: 

Date: 1/16/20

Signature of Agent: 

Date: 1/16/20

This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both".