

JAN 19 2016



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
COEUR D'ALENE REGULATORY OFFICE
1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814

January 14, 2015

Regulatory Division

SUBJECT: NWW-2016-00017, City of Pierce Wastewater System Improvement Project

Mr. John Lynn
USDA Rural Development
7830 Meadowlark Way, Ste. C3
Coeur d'Alene, ID 83815

Dear Mr. Lynn:

This is in response to your December 21, 2015 letter requesting comments on the wastewater system improvement project for the City of Pierce. Thank you for providing the Corps of Engineers (Corps) the opportunity to provide comments. According to information provided, the proposed project includes improvements to the mainline, construction of a mechanical package plant, sedimentation basin and a dewatering facility for the City of Pierce.

The site is located in the City of Pierce, within Sections 2 of Township 36 North, Range 5 East, near latitude 46.491033° N and longitude -115.799258° W, in Clearwater County, Idaho. Your project has been assigned Department of the Army (DA) File # NWW-2016-00017, which should be referred to in all future correspondence.

AUTHORITY

The DA exerts regulatory jurisdiction over waters of the United States (U.S.), including wetlands, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Section 404 of the Clean Water Act requires a DA permit be obtained prior to discharging dredged or fill material into Waters of the U.S., which includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, irrigation and drainage canals and ditches that are tributaries to other waters, and wetlands. Orofino Creek and Canal Gulch Creek, including their adjacent wetlands, are waters of the United States and subject to regulation under Section 404 of the Clean Water Act.

The repair or replacement of the existing wastewater line crossing Orofino Creek and Canal Gulch Creek would require DA approval if the activity results in a discharge of dredged or fill material into either creek, or their adjacent wetlands. However, there are construction methods like boring under the stream which does not require DA approval. Once the design and construction methods are developed further, please contact the Coeur d'Alene Regulatory office and we can discuss the project in greater detail.

Please be aware that the proposed project is located within Essential Fish Habitat (EFH) and may affect waters inhabited by the steelhead & chinook salmon, which are listed species under the Endangered Species Act (ESA). Due to the presence of ESA listed species and EFH, submittal of a Joint Application would be required under Nationwide Permit Regional General Condition *Watersheds Requiring Pre-Construction Notification, Specific to Anadromous Fish* if a DA permit is required. A copy of the Joint Application can be found on our website: <http://www.nww.usace.army.mil/BusinessWithUs/RegulatoryDivision/JointApplicationforPermit.aspx>. For additional information on the Endangered Species Act or Essential Fish Habitat please contact Bob Ries with National Marine Fisheries Service at (208) 882-6148.

Please contact me by telephone at (208) 433-4476, by mail at the address in the letterhead, or via email at shane.k.skaar@usace.army.mil if you have any questions or need additional information. A copy of this letter is being sent to The City of Pierce.

Sincerely,



Shane Skaar
Project Manager, Regulatory Division

Enclosure(s):

NWW-2016-00017 National Wetland Inventory Map, dated Jan 12, 2016

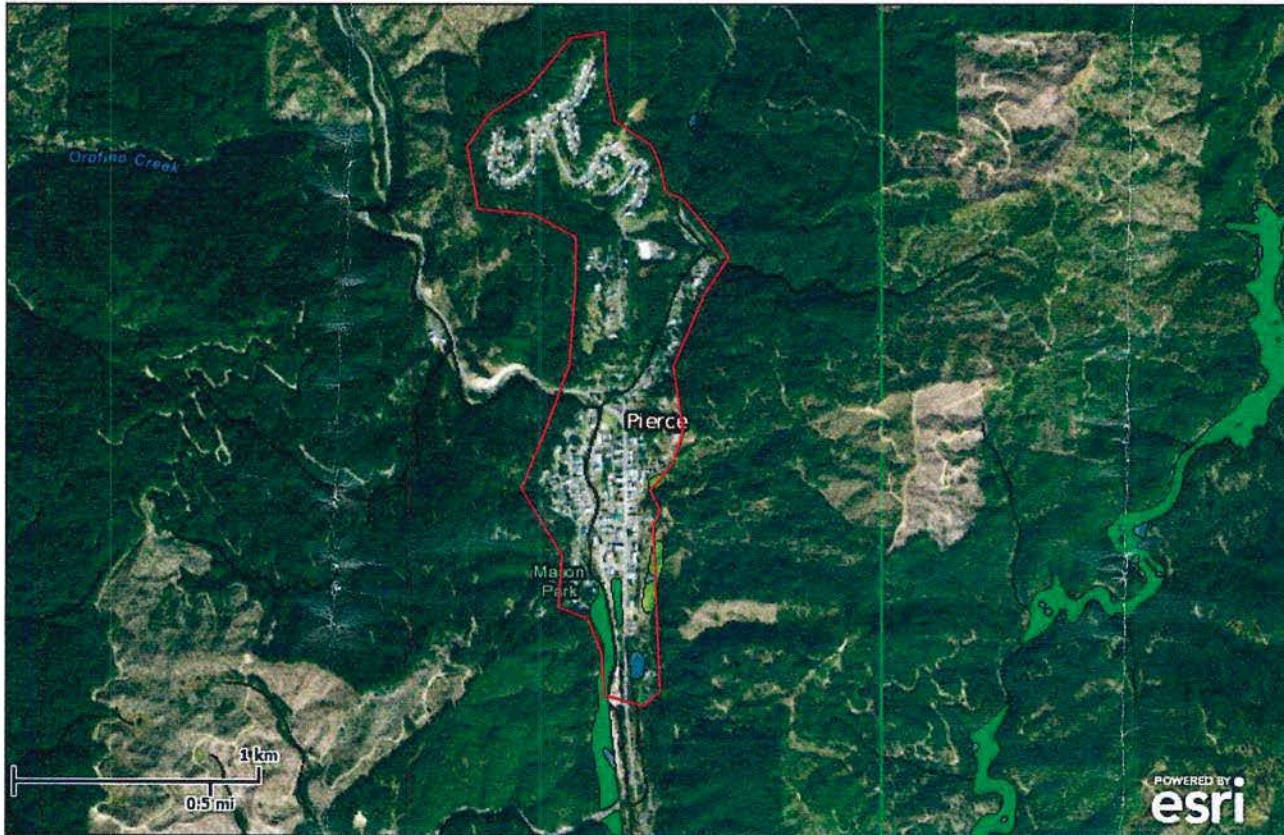


U.S. Fish and Wildlife Service

National Wetlands Inventory


NWW-2016-00017

Jan 12, 2016



Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverine
-  Other

 Proposed Project Area

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

City of Pierce, Wastewater System improvement Project