



**City of Ketchum
Planning & Building**

OFFICIAL USE ONLY
File Number:
Date Received:
By:
Fee Paid:
Approved Date:
Denied Date:
By:

Floodplain Development Permit and Riparian Alteration Application

NOTE: This permit is required for all properties containing 100 year floodplain area and Riparian Setbacks

PROPERTY OWNER INFORMATION			
Property Owner Name(s):		450-490 WOOD RIVER LLC	
Property Owner's Mailing Address:		P.O. BOX 14001-174 KETCHUM, ID 83340	
Phone:		(720) 339-6798	
Email:		frazier@presidiovistaproperties.com	
PROJECT INFORMATION			
Project Name:		450 WOOD RIVER RESIDENCE AND SITE GRADING	
Project Representative's Name (main point of contact for project):		FRAZIER CAVNESS	
Project Representative's Phone:		(720) 339-6798	
Project Representative's Mailing Address:		P.O. BOX 14001-174 KETCHUM, ID 83340	
Project Representative's Email:		frazier@presidiovistaproperties.com	
Architect's name, phone number, e-mail:		RO ROCKETT DESIGN JASON RO jro@rorockettdesign.com	
Landscape Architect's name, phone number, e-mail:		FSLA (406) 551-2089 CHARLIE KEES ckees@fieldstudiola.com	
Environmental consultant's name, phone number, e-mail:		SAWTOOTH (208) 720-8543 TRENT STUMPH trent@sawtoothenvironmental.com	
Engineer's name, phone number, e-mail:		BROCKWAY ENGINEERING (208) 736-8543 CHUCK BROCKWAY charles.g.brockway@brockwayeng.com	
Project Address:		450 WOOD RIVER DRIVE, KETCHUM, ID 83340	
Legal Description of parcel:		MARY'S PLACE SUB; LOT 3, BLK 1	
Lot Size:		1.24 AC.	
Zoning District:		GR-L	
Overlay Zones – indicate all that apply: <input checked="" type="checkbox"/> Floodplain <input type="checkbox"/> Floodway <input type="checkbox"/> Riparian Zone <input type="checkbox"/> Avalanche <input type="checkbox"/> Mountain			
Brief description of project scope: SEE ATTACHED NARRATIVE			
Value of Project: \$			
TYPE OF PROJECT – indicate all that apply:			
<input checked="" type="checkbox"/> New Building in Floodplain	<input type="checkbox"/> Building Addition in Floodplain	<input type="checkbox"/> Streambank Stabilization / Stream Alteration	<input type="checkbox"/> Other. Please describe:
<input type="checkbox"/> Riparian Alteration	<input checked="" type="checkbox"/> Floodplain Development		
PROPOSED SETBACKS – if project is a new building or an addition to an existing building			
Front: 15'	Side: 11'	Side: 11'	Rear: 11'
ADDITIONAL INFORMATION			
Will fill or excavation be required in floodplain, floodway or riparian zone?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If Yes, Amount in Cubic Yards:	Fill: 265 CY	Excavation: 638 CY	SEE ORIGINAL AND SUPPLEMENTAL
Will Existing Trees or Vegetation be Removed?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> NARRATIVES FOR EXPLANATION AND
Will new trees or vegetation be planted?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> FURTHER INFORMATION

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Floodplain Management Overlay Application, in which the City of Ketchum is the prevailing party, to pay reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. I, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.

Signature of Owner/Representative

4.17.2024

Date

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO: City Clerk, City of Ketchum PO Box 2315 Ketchum Idaho, 83340	
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(Space Above Line For Recorder's Use)

Acknowledgement of Floodplain Management Overlay District and Waterways Design Review District Affidavit

Property Owner: 450-490 WOOD RIVER LLC
Building Permit Number: Building Permit # has not been issued
Property Address: 450 Wood River Drive, Ketchum Idaho 83340
Legal Description: MARY'S PLACE SUBD LOT 3 BLK 1
Parcel Number: RPK 04740000030
Scope of Work: Single Family Residence: Main Hose Dwelling with in ground spa

Please initial and fill below:

FC I acknowledge that this development and the parcel of land, or portion thereof, on which the development will be situated are within the Floodplain Management Overlay District.

FC I acknowledge this property is within the Waterways Review District.

FC I have thoroughly read and fully understand Ketchum Municipal Code Title 17, Chapter 17.88 "Floodplain Management Overlay District", to include regulations for the Waterways Design Review District including regulations on activities within 100 feet of the mean high-water mark.

FC I fully understand and agree to comply with Ketchum Municipal Code Title 17, Chapter 17.88.040 C.

FC I, on behalf of myself, my personal representatives and my heirs, successors, and assignees, acknowledge by this written *affidavit* that said property is located within the one percent annual chance floodplain (SFHA) as defined herein, and/or said property is within the Waterways Design Review District and that a violation of the terms of Ketchum Municipal Code 17.88 shall cause the City to seek legal remedies.

FC I acknowledge that the City of Ketchum Planning & Building Department shall have the notarized affidavit recorded in the records of Blaine County for the property.

[Signature]
 Property Owner Signature

11/14/2023
 Date

Authorized Representative of the owner

STATE OF Idaho, County of Blaine

On this 14th day of November, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Frazier Guinness, known or identified to me to be the person whose name is subscribed to the within instrument.

WITNESS my hand and seal the day and year in this certificate first above written.

[Signature]
 Notary Public for Idaho
 (State)

Residing at: 231 Edelweiss Ave, Ketchum, ID 83340
 Commission Expires: 04/25/2029



City of Ketchum accepts this Affidavit from **(insert owner's name).**

450-490 Wood River LLC

ATTEST, CITY CLEK

Date: 11/9/2023

To: Adam Crutcher

From: Greg Brakovich (property owner of 440 and 430 Wood River Drive)

RE: Floodplain Development Permit Application – 450 Wood River Drive

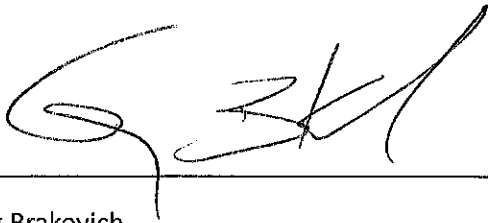
Dear Adam,

My name is Greg Brakovich, and I am the owner of individual properties located at 440 Wood River Drive and 430 Wood River Drive in Ketchum, Idaho (respective parcel numbers are: RPK04740000020 & RPK0474000001A). My properties are adjacent and downstream of 450 Wood River Drive, and they are highlighted on the parcel map on the following page.

I have been working with the owners of 450 Wood River Drive for nearly one year as they assembled their Joint Application for impacting Wetlands, and this current Floodplain Development Permit Application. The proposed Designs seek to fill in the non-conforming pond and swale, which spans across the property boundary lines between 450 Wood River Drive and the properties that I own. In addition, the Designs seek to create a new swale that directs flood waters further to the south and away from the residence that I own. I am in complete support of the Designs and I am excited to see them become a reality, as it will be a tremendous benefit to all property owners in the area.

My signature below indicates my concurrence and support of the Floodplain Development Permit Application for 450 Wood River Drive.

Warm Regards,

A handwritten signature in black ink, appearing to read 'G. Brakovich', is written over a horizontal line.

Greg Brakovich

Date: 11/9/2023

DATE: January 20, 2023

South Central Public Health District
Health and Environmental Services
117 Ash Street
Bellevue, ID 83313

Re: 450 Wood River Drive

The City of Ketchum has the capacity and is willing to serve or continue to serve the development located at 450 Wood River Drive, Ketchum, ID 83340.

Sincerely,



Gio Tognoni, Ketchum City Water



Mick Mummert, Ketchum City Sewer

Evaluation Criteria for Ketchum Floodplain Development Permit application, 450 Wood River

Brockway Engineering PLLC
August 15, 2023

1. The proposal preserves or restores the inherent natural characteristics of the river, floodplain, and Riparian Zone, including riparian vegetation and wildlife habitat. Development does not alter river channel unless all stream alteration criteria for evaluation are also met.

The proposal will include restoration of wetland and riparian areas. Natural riparian swale will ensure continuity of water connection to river. Restored area will provide enhanced natural characteristics, riparian vegetation, and wildlife habitat. No alteration of river channel is proposed. Unauthorized, nuisance pond will be removed.

2. No temporary construction activities, encroachment, or other disturbance into the twenty-five foot (25') Riparian Zone, including encroachment of below grade structures, shall be permitted, except for approved stream stabilization work and restoration work associated with a riparian zone that is degraded.

This criteria will be adhered to.

3. No permanent development shall occur within the twenty-five foot (25') Riparian Zone, except for approved stream stabilization work and restoration work associated with permit issued under this title, or exceptions as described below:
 - a. Access to a property where no other primary access is available. b. Emergency access required by the Fire Department.
 - b. A single defined pathways or staircases for the purpose of providing access to the river channel and in order to mitigate multiple undefined social paths.
 - c. Development by the City of Ketchum

This criteria is met since the work is to be authorized under an approved permit.

4. New or replacement planting and vegetation in the Riparian Zone shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings most commonly include red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle. However, in rare instances the distance from the top-of-bank to the mean high-water mark is significant and the native vegetation appropriate for the Riparian Zone are low growing, drought resistant grasses and shrubs. Replacement planting and vegetation shall be appropriate for the specific site conditions. Proposal does not include vegetation within

the twenty-five foot (25') Riparian Zone that is degraded, not natural, or which does not promote bank stability.

These types of plantings are being proposed. The plan will include a revegetation plan as specified by the landscape architect and/or wetland specialist.

5. Landscaping and driveway plans to accommodate the function of the floodplain allow for sheet flooding.
 - a. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms
 - b. shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.

Driveway is not within 100-year floodplain. Cross-drainage culverts can be installed. Hydraulic analysis of the proposed building and grading plan has been performed as described in the technical narrative. No water will be diverted onto roads or public pathways.

6. Floodwater carrying capacity is not diminished by the proposal.

See narrative for more detail.

7. Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not negative.

Restoration of natural riparian waterway will enhance habitat and improve water quality. Existing pond water quality is poor.

8. Building setback in excess of the minimum required along waterways is encouraged. An additional ten- foot (10') building setback beyond the required twenty-five foot (25') Riparian Zone is encouraged to provide for yards, decks and patios outside the twenty five foot (25') Riparian Zone.

Buildings will be located within platted building envelope.

9. The top of the lowest floor of a building located in, or partially within, the SFHA shall be at or above the Flood Protection Elevation (FPE). A building is considered to be partially within the SFHA if any portion of the building or appendage of the building, such as footings, attached decks, posts for upper story decks, are located within the SFHA. See section 17.88.060, figures 1 and 2 of this chapter to reference construction details. See Chapter 17.08 of this title for definition of "lowest floor."
 - a. In the SFHA where Base Flood Elevations (BFEs) have been determined, the FPE shall be twenty-four inches (24") above the BFE for the subject property; twenty-four inches (24") or two (2) feet is the required freeboard in Ketchum city limits.

- b. In the SFHA where no BFE has been established, the FPE shall be at least two (2) feet above the highest adjacent grade.

This criteria is met. See architectural drawings for more detail.

10. The backfill used around the foundation in the SFHA floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent.
 - a. Compensatory storage shall be required for any fill placed within the floodplain.
 - b. A CLOMR-F shall be obtained prior to placement of any additional fill in the floodplain.

Adequate compensatory storage is provided. See narrative for additional detail.

11. All new buildings located partially or wholly within the SFHA shall be constructed on foundations that are designed by a licensed professional engineer.

See architectural plans for more detail.

12. Driveways shall comply with City of Ketchum street standards; access for emergency vehicles has been adequately provided for by limiting flood depths in all roadways to one foot (1-ft) or less during the 1% annual chance event.

Driveway is not within the 100-year floodplain.

13. Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development.

Owner will comply with this requirement.

14. (Stream alteration.) The proposal is shown to be a permanent solution and creates a stable situation.

Not applicable

15. (Stream alteration.) No increase to the one percent (1%) annual chance flood elevation at any location in the community, based on hydrologic and hydraulic analysis performed in accordance with standard engineering practice and has been certified and submitted with supporting calculations and a No Rise Certificate, by a registered Idaho engineer.

Not applicable, but see narrative for description of modeling for the project.

16. (Stream alteration.) The project has demonstrated No Adverse Impact or has demonstrated all impacts will be mitigated.

Not, but see narrative.

17. (Stream alteration.) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work.

Not applicable

18. (Stream alteration.) Fish habitat shall be maintained or improved as a result of the work proposed.

Not applicable.

19. (Stream alteration.) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.

Not applicable.

20. (Stream alteration.) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.

Not applicable.

21. (Wetlands) Where development is proposed that impacts any wetland the first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with an equal amount and quality of new wetland area or riparian habitat improvement.

See analysis and Joint Application for Permits prepared by Sawtooth Environmental.

APPLICATION CHECKLIST

Please utilize and submit the checklist on the following pages to ensure a complete application.

Floodplain management overlay application certification of completeness is based on submittal of all applicable items on this checklist.

Use for:

- Floodplain Development Permit (includes stream Alteration / streambank stabilization)
- Riparian Alteration

Project name: _____

Reviewed by: _____

DOCUMENTS

- One (1) digital copy of all application materials
- Application form
- Evaluation criteria narrative
- Description of proposed development
- Specifications for building construction and materials, flood proofing, filling, grading, dredging, channel improvement/changes and utilities
- Elevation and/or flood proofing certification prepared by a professional engineer for existing and proposed residential and nonresidential structures located partially or wholly in the regulatory floodplain. Said floodproofing methods shall meet the criteria in subsection 17.88.060.B of the Ketchum Municipal Code.
- N/A Copy of letter of map amendment based on fill (LOMA-F) application for any proposed fill in the floodplain. LOMA-F approval shall be obtained from FEMA prior to issuance of a floodplain development permit.

SITE SURVEY OF EXISTING CONDITIONS (prepared and stamped by a licensed engineer or surveyor) – REQUIRED FOR NEW BUILDINGS OR ADDITIONS TO BUILDINGS IN THE FLOODPLAIN AND ANY WORK WITHIN THE FLOODWAY

- Exterior boundary lines of the property together with dimensions
- Topographic survey of the real property at a minimum of one (1) foot contour intervals, significant hillsides may be a minimum of ten (10) foot contour intervals
- Location of any existing dwelling units, other structures, fill, storage of materials, drainage facilities and all improved areas (pavement) with dimensions thereof showing the setback of each structure from the nearest property line
- Location of existing channels and ditches and other significant natural features, boundaries of floodway and floodplain, including Base Flood Elevation (BFE) and other site specific information from the studies referred to in Ketchum Municipal Code, subsection 17.88.040.A.3
- Location and elevations of adjacent streets, water supply and sewer lines, including private wells and/or septic systems

- Elevation of the lowest floor (including basement) of all structures existing and proposed partially or wholly located in the one percent (1%) annual chance floodplain, including elevation to which any structure has been or will be floodproofed
- Identification of the riparian zone and the "mean high water mark," as defined in Ketchum Municipal Code
- Location of previous stream alterations upstream, downstream and along both banks from subject lot
- Location of drainage ways, intermittent and year-round, including potential overflow channels or channel movement
- Location and dimensions of easements, private and public, within and adjacent to the proposed project together with the purpose thereof
- Location of all existing trees to be preserved and significant trees to be removed
- Indication of any zoning district overlay which affects the property (floodplain, mountain overlay or avalanche)
- Location of existing structures on adjacent properties

SITE PLAN – REQUIRED FOR ALL PROJECTS.

- Vicinity map
- Proposed excavation or land fill including resulting slope grades for the building pad(s), driveways and any other element of the proposed development where excavation or fill will take place
- Drainage plan including offsite improvements such as borrow ditches and culverts and including a plan for on- and off-site improvements to provide for unobstructed conveyance of floodwaters
- Location of on-site parking spaces and access thereto, including the dimensions of the spaces and the width and length of access and curb cuts
- Location and dimensions of snow storage areas
- Location of dumpster and/or garbage and recycling can storage areas, including the dimensions and proposed fencing or other screening
- Location and type of any electrical power transformers, switches and/or sectors
- Location and type of all heating, ventilation, air conditioning and other mechanical units
- Drip line of all buildings
- Percentage of the lot coverage by proposed building and parking areas together with the total square footage of the parcel of property
- Location of all proposed structures (buildings) and all improved areas (pavement, sidewalk) with dimensions thereof showing the setback of each structure from the nearest property line
- Designation of the zoning district in which the project is located
- Location of any zoning district boundary line within the proposed project or the immediate vicinity thereof
- N/A For any building in the floodplain with an area below the lowest floor that is below the base flood elevation and has a ceiling height of five feet (5') or greater, the building owner shall sign a non-conversion agreement, that shall run with the property, promising not to improve, finish or otherwise convert the area below the lowest floor to living area and granting the city the right to inspect the enclosed area at its discretion. Such agreement shall be recorded at Blaine County's recorder's office

ARCHITECTURAL PLANS – REQUIRED FOR NEW BUILDINGS OR ADDITIONS TO EXISTING BUILDINGS

- Floor plans of all floors at not less than one-eighth (1/8) scale
- All exterior elevations
- Roof plan including direction of snow sliding and snow clips if applicable. Location and type of all mechanical equipment and rooftop appurtenances
- Cross-section(s) of the property and proposed building adequately establishing the natural grade, finished grade, slope of land, slope of proposed accesses and grades to all public rights-of-way

- Location and type (cut sheets) of all exterior lighting
- Model or computer simulation renderings, if required at pre-application design review meeting

LANDSCAPE PLAN – REQUIRED FOR ANY PROJECT PROPOSING TO ALTER VEGETATION IN THE RIPARIAN ZONE OR SPECIAL FLOOD HAZARD AREA

- All existing vegetation over 2 inches in caliper, including size and species
- Proposed landscaping of the project including types, quantities and sizes of trees, shrubs, ground cover and other vegetation
- Proposed landscaping or other improvements within any public rights-of-way
- Location, type (materials and colors) and height of walls or fences
- Location of parking areas
- Location of vehicular and pedestrian circulation patterns, easements and proposed improvements with regard thereto
- Irrigation system for landscaping
- Drainage plan including off-site improvements

STREAM ALTERATIONS / STREAMBANK STABILIZATION

N/A



- Copies of the Joint Application for Permits submitted to the U.S. army corps of engineers (USACE) and Idaho department of water resources (IDWR). Please note, USACE and IDWR approvals shall be obtained prior to issuance of a stream alteration permit.
- Copy of the USACE permit approval.
- Copy of the IDWR permit approval.
- Cross section of proposed work
- Length of stream to be worked, type of work to be done, type of equipment to be used and starting and completion dates of work
- A valley cross section showing stream channel, floodway limits, elevations of adjacent land areas, Special Flood Hazard Area boundary, floodway boundary, existing Mean High Water mark, proposed Mean High Water mark, Riparian Zone regulated by the City of Ketchum, proposed excavation, proposed fill. A profile showing the slope of the bottom of the channel or flow line of the stream may be required upon review of all other material submitted.
- For any work proposed to occur in the regulatory floodway: A no net rise certificate, including supporting calculations, prepared and stamped by an Idaho registered professional hydraulic engineer
- For any work proposed to occur in the floodway: HEC-RAS model

NO ADVERSE IMPACT STATEMENT – WHERE APPLICABLE

- No Adverse Impact Statement
 - See definition of “No Adverse Impact” in section 17.08.020 of Ketchum Municipal Code.

Project No. 1575-02-2021

Technical Narrative in Support of Floodplain Development Plan for 450 Wood River

Prepared for:

450-490 Wood River, LLC
Ketchum, Idaho

August 18, 2023

For information concerning this report, contact
Charles G. Brockway, Ph.D., P.E.



CHARLES E. BROCKWAY, PH.D., P.E. (EMERITUS)
CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON, SUITE 4
TWIN FALLS, IDAHO 83301

Technical Narrative in Support of Floodplain Development Plan for 450 Wood River

Brockway Engineering, PLLC
August 18, 2023

A. Existing conditions and hydrology

The subject property is 450 Big Wood Drive, a platted lot within Mary's Place Subdivision in Ketchum, Idaho. The property includes an authorized building envelope, but some of the property is within the effective 100-year floodplain and subject to the pertinent requirements in the City of Ketchum municipal code. A residential structure is proposed to be constructed within the existing building envelope.

A small pond currently exists on both the subject property and on the adjacent lots to the south (440 and 430 Wood River). The pond is a perennial feature that contains water from the high groundwater table, but also receives surface water from a swale originating on 490 Wood River and flowing onto the subject property. Discharge from the pond occurs via an overflow that discharges to a channel that returns to the Big Wood River on 430 Wood River.

The pond is clearly an artificial feature that appears to have been installed in the early 1980s without any water right or other permit. The pond was created by excavating the land and placing the spoils adjacent to the pond on the river side, creating a mound of earth up to three feet in depth relative to the pre-pond existing grade. At the same time, it appears the inlet and outlet channels were created.

The pond is within the 100-year floodplain and will be inundated during extreme floods in the river. However, ordinary natural water supply for the pond is inadequate. The groundwater table is not regularly high enough to reach the overflow and enable flow through the pond. Surface water flow is intermittent and is dependent upon upstream conditions in the marshy areas on 490 Wood River, which fluctuate seasonally according to groundwater levels and levels in the adjacent Big Wood River, which is hydraulically connected with the shallow groundwater. Flow from these areas through the channel onto 450 Wood River varies and has been observed to follow the expected seasonal pattern: low or nonexistent in the late summer, fall, and winter, rising in the spring and early summer as river levels and infiltration increase.

Due to the inadequate water supply, the pond is stagnant and detrimental to the property. In addition, the policy of the Idaho Department of Water Resources is that any pond excavated into shallow groundwater, whether fed from an external source or not, requires a water right. No such right exists for the pond, and due to the moratorium on all new consumptive water rights, obtaining a new appropriation at this time is not reasonably possible. For these reasons, it is proposed to remove the pond in the course of this residential development. To preserve the

conveyance capacity for both ordinary flows and flood flows, the swale from 490 Wood River will be extended to connect to the channel on 440 Wood River that currently returns to the river.

Most of the property is within the 100-year effective floodplain defined by FEMA. Comparing the effective base flood elevations with LiDAR and other topographic data, it was determined that the effective floodplain limit is reasonably accurate. During the 100-year event, most of the land will be subject to shallow overland flow with the exception of the high area on the river side of the pond. This high area is recognized as being above the BFE in the “Draft” flood maps, prepared by FEMA and issued for informational purposes in September 2022 as part of the agency’s comprehensive restudy of the Big Wood River and tributaries. The floodplain limits on the Draft map are similar to those on the effective map.

Portions of the property lie within the defined regulatory floodway. However, no grading or development is proposed within the floodway.

B. Proposed project

The proposed project includes the following elements:

1. **Construction of driveway to allow access to a residence.** This drive will lie wholly outside of the floodplain.
2. **Construction of residence within platted building envelope.** The building footprint will be partially within the floodplain limits. The finished floor elevation will be above the modeled 100-year flood elevations, either Effective or Draft, as described below. Fill within the floodplain will occur to a reasonable extent necessary to construct the residence, and a portion of this fill will be below the 100-year flood elevation.
3. **Removal of the unauthorized legacy pond.** The pond will be filled and graded using on-site excavated material. As noted, this pond has no water right and therefore cannot remain as a feature on the property. In addition, its removal will eliminate the stagnant water and overall aesthetic nuisance.
4. **Enhancement of the existing drainage channel in accordance with the grading shown on the plans.** This swale will have a bottom width of 7 feet, side slope of 4:1 or flatter, and overall slope of 0.7%. The enhanced swale will have an increased conveyance capacity and will provide a portion of the mitigation required for the hydraulic impact analysis and the compensatory storage analysis. The swale will be vegetated in accordance with plans prepared by Field Studio and Sawtooth Environmental. With an assumed roughness coefficient of 0.065, this swale will have a capacity of 68 cfs at a flow depth of 2.0 feet. Benefits of this activity include maintaining and enhancing the natural conveyance regime, providing more natural riparian habitat, and reducing nuisance water to adjacent landowners. This element is pursuant to and in accordance with plat note #7 regarding enhancement plans for relocation of drainage provisions.

Because a portion of the existing pond and proposed swale is located on 430 and 440 Wood River, the owner of these properties will need to concur with the proposed plan and allow construction to occur on his properties. The general plan has been reviewed with the owner and he has indicated concurrence with removing the nuisance pond and ensuring that flood flows are safely directed back to the river. Final concurrence of the specific plan will need to be obtained from the owner prior to commencement of the project construction.

C. HEC-RAS model analysis

HEC-RAS was used to model the existing conditions and the conditions with the proposed project including grading and structures. The purpose of this effort was to establish a baseline model representing existing conditions, and use this model to evaluate the effect of the project including proposed mitigation. Figure 1 shows an overall view of the model study area and cross-sections, and Figures 2a and 2b show close-in views of the project and grading plan. Inputs and assumptions for the model are described below.

C.1. Topographic data

Data used to develop cross-sections was derived from detailed ground survey and topographic contour mapping created by Galena Engineering for the project, as well as from the 2017 Blaine County LiDAR data. For the most part, the two sources were in close agreement, but where significant differences occurred, the ground shots were assumed to be the more accurate data. One section was created from LiDAR as it was located off the property.

The model geometry upstream and downstream of the project was based on FEMA's draft model, made public in September 2022. New cross-sections representing current ground conditions were inserted, starting with Section 90690.8 as the downstream limit. These sections are shown on the attached map and Table 1.

Since the LiDAR data reflects the water surface rather than the channel bottom in the Big Wood River when the flight was made (which was at low water), the shape of the channel bottom was approximated by reference to the draft model sections and elevations adjusted according to channel slope.

C.1. 100-year peak annual flow

The "1% annual chance flow" or the 100-year flow is the discharge that forms the basis of modeling for current conditions and post-project conditions. The value in the effective model is 4,740 cfs. In the draft model, FEMA increased this flow to 6,363 cfs. For reasons related to statistical calculations on the stream gauge north of Ketchum, this value is not correct. Nevertheless, FEMA is continuing to use it for its analyses and therefore it was used for this project because the City of Ketchum has elected to use the draft maps for regulatory purposes.

In the course of developing the model for this project, it was discovered that the discharge used in FEMA's draft model is 6,879 cfs, which is incorrect for this reach. According to the

hydrology report prepared for FEMA by the U.S. Army Corps of Engineers, the 6,879 cfs value is supposed to be the discharge below Trail Creek. The discharge from the Warm Springs confluence downstream to Trail Creek is supposed to be 6,363 cfs. This is discussed further in a memo submitted to Blaine County and the City of Ketchum dated March 31, 2023.

Table 1. Cross-sections from upstream to downstream

River Station in FEMA model	Section No.	Remarks
93417.33	16	Section in FEMA draft model
92671.74	15.5	Inserted section from LiDAR
92471.74	15	Section in FEMA draft model
92232	14	Inserted section using ground shots and LiDAR
92123	13.5	Inserted section using ground shots and LiDAR
92065	13	Inserted section using ground shots and LiDAR. Generally aligns with access roadway, used for upstream section of existing culvert on 490
92021		Existing 16" culvert on 490
91977	12.5	Inserted section using ground shots and LiDAR. Used for downstream section of culvert on 490
91945	12	Inserted section using ground shots and LiDAR
91911	11.8	Inserted section using ground shots and LiDAR
91836	11.5	Near north boundary of 450. Inserted section using ground shots and LiDAR. Existing house to north blocked out.
91755	11.2	Inserted section using ground shots and LiDAR. Section through pond on 450, existing house, and new house.
91715	11	Inserted section using ground shots and LiDAR. Section through pond on 450, existing house, and new house.
91640	10.5	Inserted section using ground shots and LiDAR. Section through lower end of pond on 450.
91565	10	Inserted section using ground shots and LiDAR.
91427	9	Section in FEMA draft model
91103.24	8	Section in FEMA draft model
90690.8	7	Section in FEMA draft model

Rather than compound error upon error, a value of 6,363 cfs was used for the modeling of this project even though it differs from the FEMA model. FEMA has been notified that its model contains an error and the base flood elevations and floodplain delineation in the reach from Warm Springs to Trail Creek should be recomputed. Base flood elevations on the draft maps in this reach should not be relied upon.

C.2. Starting downstream WSE

The downstream water surface elevation at Section 7 (RS 90690.8) was set by the normal depth method with a slope of 0.005 ft/ft.

C.3. Roughness coefficients

Roughness coefficients for the new cross sections developed for this project were 0.04 for the channel and 0.06 to 0.10 for the overbanks, horizontally varying depending on the extent and nature of vegetation. For sections 10 through 13, the roughness coefficient was varied based on the 2022 aerial photo to correspond to areas of more or less vegetative cover. Overbank roughness was set to 0.06 or 0.08, and channel roughness was set to 0.04 or 0.06. For the post-project model, overbank coefficients were adjusted to reflect the fact that the regrading and channel improvements will slightly lower the roughness coefficient in some areas.

The FEMA draft model cross-sections generally have coefficients of 0.035 for the channel and 0.1 or 0.12 for overbanks. The channel coefficient is reasonable but an overbank coefficient of 0.12 is too high. The standard reference for roughness coefficients (Chow, 1959) indicates that a value of 0.12 would be characteristic of very dense brush, heavy tree growth, and downed trees. Nevertheless, these values were used where the draft model sections were directly used, i.e. Sections 7-9 and 15-16.

C.4. Ineffective flow

The ineffective flow option was used in the left overbank of section 13.5 to characterize the backwater area above the culvert, and at the upstream culvert section 13.

C.5. Culvert parameters

The culvert and roadway on 490 were modeled with entrance projecting from fill with an entrance loss coefficient of 0.9, an exit loss coefficient of 1.0, and a roughness coefficient of 0.022. The top of existing roadway is based on surveyed elevations. Ineffective flow areas were set, but do not come into play since the flow overtops the roadway.

The deck width in the direction of flow was computed as the average width of the roadway over which water flows. The standard weir coefficient of 2.6 was used for overtopping flow. Similarly, distances to upstream and downstream cross-sections represent averages for the culvert area.

C.6. Channel regrading

Regrading of the drainage swale was modeled by modifying all cross-sections where the swale is changing. The roughness coefficient for regraded swale areas was generally 0.06 to simulate the improved condition; however the proposed backyard fill area with low-growing grasses was set to 0.04.

C.7. Building obstruction

The existing structures and the proposed residential construction was modeled with the HEC-RAS blocked obstruction feature, and the adjacent grade was modeled by modifying the cross-sections to reflect the proposed fill around the building to a grade of 5767.0 feet. Since the building and associated fill was modeled as a complete obstruction, this adequately represents the proposed slab-on-grade construction.

C.8. Mitigation

Mitigation for project impacts takes two forms: compensatory storage (Section D), and mitigation of hydraulic impacts to the extent feasible. Hydraulic impacts arise due to fill or obstruction of flow, reducing the overall section conveyance and resulting increase in modeled water elevation during the 100-year event. In this case, the construction of the swale between the residence and the river provide both compensatory storage mitigation and hydraulic mitigation. The resulting net effect is discussed below.

C.9. Model results

The current conditions model results are reasonably consistent with the draft model, but not exactly the same due to the reasons discussed above. The new cross-sections better describe the channel changes and deposition that have occurred since the effective model development, and provide closer spacing in order to model the proposed grading plan. The baseline model is more detailed and simulates reality better than the draft model, and was deemed to be a suitable current-conditions model from which to evaluate changes due to proposed project grading.

With the building and grading plan as proposed, which includes the mitigation described above, the computed water surface elevations are either unchanged or slightly lower than for the existing conditions scenario (Table 2). The primary change occurs at Section 11.5, where the model predicts an increase of 0.19 feet, and at Section 11.2 where the modeled increase is 0.04 feet. These increases could not be eliminated with reasonable grading. The project is not within the regulatory floodway and subject to FEMA's "no-rise" requirement. The impact should be acceptable as it is 1) highly localized, 2) a necessary consequence of constructing a residence on an authorized, platted building envelope, and 3) offset by the significant restorative benefits to the riparian area, much of which is in poor condition.

No water is predicted to flow over the driveway access.

Table 2. Model-computed water surface elevations.

Section	River Sta	Water surface elevation (ft)			FEMA Draft 2022*
		Existing Conditions	With Project	Change	
16	93417.33	5776.17	5776.17	0.00	5777.63
15.5	92671.74	5773.22	5773.22	0.00	
15	92471.74	5770.90	5770.90	0.00	5770.67
14	92232	5769.40	5769.40	0.00	
13.5	92123	5768.94	5768.94	0.00	
13	92065	5767.85	5767.85	0.00	
Culvert	92021				
12.5	91977	5767.58	5767.58	0.00	
12	91945	5766.73	5766.74	0.02	
11.8	91911	5766.80	5766.84	0.04	
11.5	91836	5766.34	5766.53	0.19	5766.71
11.2	91755	5766.14	5766.17	0.03	
11	91715	5765.77	5765.69	-0.08	
10.5	91640	5765.40	5765.31	-0.09	
10	91565	5764.98	5765.00	0.02	
9	91427	5764.80	5764.80	0.00	
8	91103.24	5761.89	5761.89	0.00	5762.08
7	90690.8	5759.68	5759.68	0.00	5761.33

* Shown for information only, not comparable to project modeling since incorrect discharge was used in FEMA model.

D. Compensatory storage and fill mitigation

Because of the City’s requirement for 1-for-1 compensatory storage, the volumes of cut and fill within the floodplain and below the base flood were balanced to ensure no loss of floodplain storage. Several factors were considered in making this calculation:

1. The gross volumes of cut and fill were based on the existing cross-sections and proposed project cross sections utilized for the hydraulic modeling.
2. Volumes were calculated for areas above the natural grade and below the model-calculated base flood elevation for the proposed conditions.
3. Calculating fill above natural grade is complicated by the presence of an unauthorized pond that must be removed in any event. Restoring the land to the original condition puts right what should not have been done. It seems reasonable to view this as a necessary restoration of natural conditions, and then the restored natural grade will be used as the baseline for the

compensatory storage analysis for the residential development.

4. Based on current guidance from the city, it is understood that the fill associated with a residential foundation, including both within the footprint and the fill needed to create a reasonable grading away from the foundation, will not be counted in the compensatory storage analysis. A definition of fill associated with “reasonable grading” away from the foundation is proposed as follows: 5% slope for 10 feet away from the foundation (based on the IRC), and a 4:1 slope further away from the foundation until intersection with natural grade. This definition may not be universally applicable, but appears to give reasonable results in this case. The foundation fill volume based on this criteria and that is also below the BFE was subtracted from the gross fill.

The cross-sectional areas of gross cut, gross fill, and reasonable associated foundation fill are illustrated on Figure 3, and calculations are shown in Table 3. Note that the distances between sections in Table 3 are not necessarily the same as those in the model, because the modeling represents an average for the entire section whereas the cut/fill calculations are specific to a small area. The computed cut volume is 436 cy and the fill volume accounting for reasonable associated house grading is 250 cy, indicating that the compensatory storage requirement can be met.

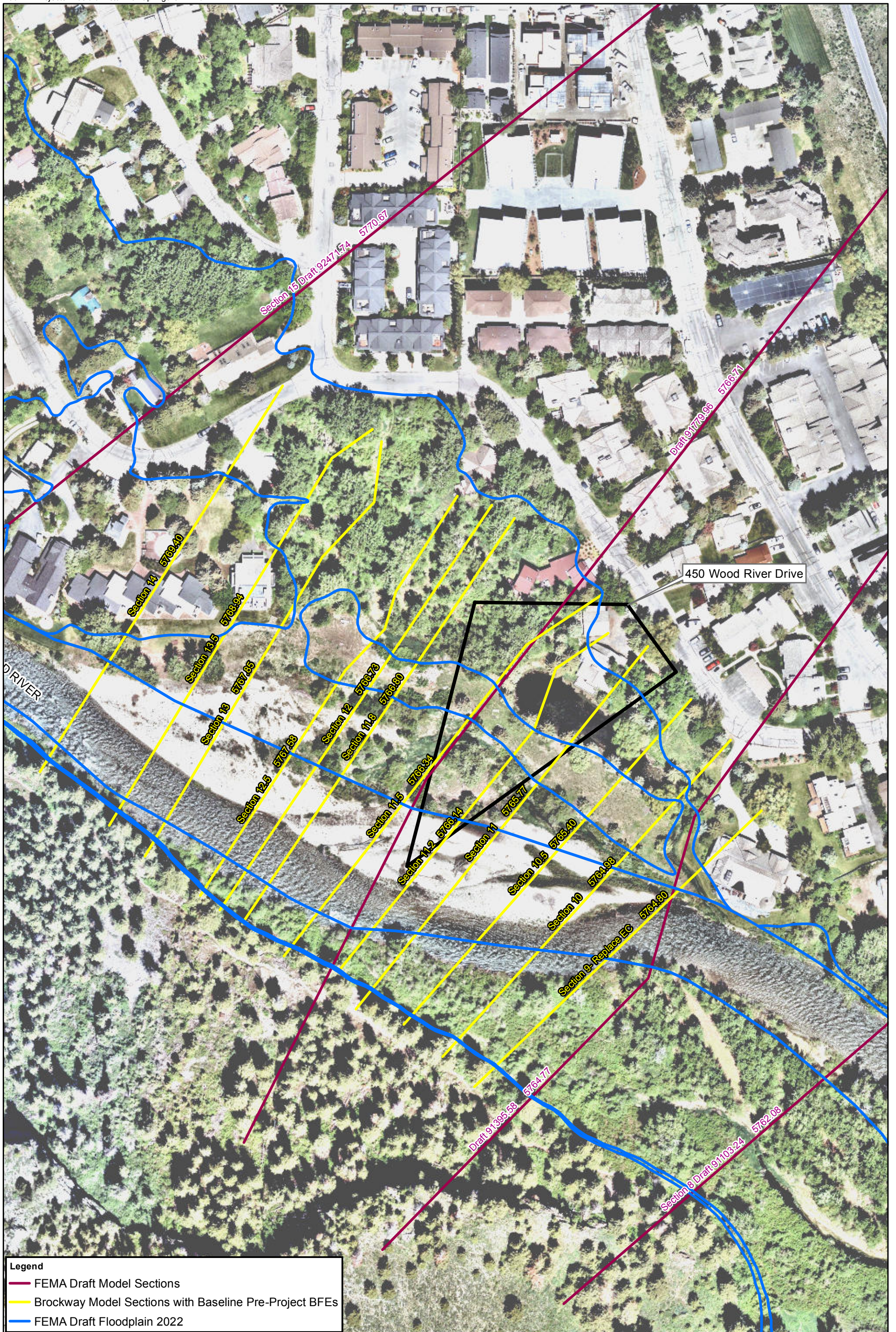
Table 3. Cut and fill balance below calculated post-project BFE.

Section	Station (ft)	Avg dist between Sections (ft)	Cut Area (ft ²)	Fill Area (ft ²)	Delta V (cy)		Associated House Fill*	
					Cut	Fill	Area (ft ²)	Delta V (cy)
Start grading (prop line)	0		0.0	0.0			0	
11.5	40	40	115.4	0.0	57.0	0.0	0.0	0.0
11.2	106	66	16.9	121.2	143.8	98.8	31.3	25.5
11	152	46	1.5	28.1	13.3	117.9	13.7	37.3
10.5	227	75	42.4	25.6	48.0	74.6	0.0	12.7
10	302	75	71.7	0.0	156.7	23.7	0.0	0.0
End grading - 9.5	334	32	0.0	0.0	16.8	10.1	0.0	0.0
Subtotals					435.6	325.1		75.5
TOTAL GROSS CUT					435.6	cy		
TOTAL GROSS FILL					325.1	cy		
ASSOCIATED HOUSE FILL					75.5	cy		
NET FILL (gross fill minus associated house fill)					249.6	cy		
NET CUT-FILL BALANCE					186.0	cy		

* 5% slope for 10 feet away from the foundation (based on the IRC), and a 4:1 slope further away from the foundation until intersection with natural grade

E. Wetland and vegetation plan

Sawtooth Environmental has prepared a Joint Application for Permits, including a plan for wetlands management to meet the requirements of the Corps of Engineers. The plan includes a revegetation plan for the project, including site preparation and planting of native species appropriate for riparian and wetland environments. This plan will be implemented in conjunction with coordinated plans prepared by the landscape architect.



Legend
 — FEMA Draft Model Sections
 — Brockway Model Sections with Baseline Pre-Project BFEs
 — FEMA Draft Floodplain 2022

FIGURE 1

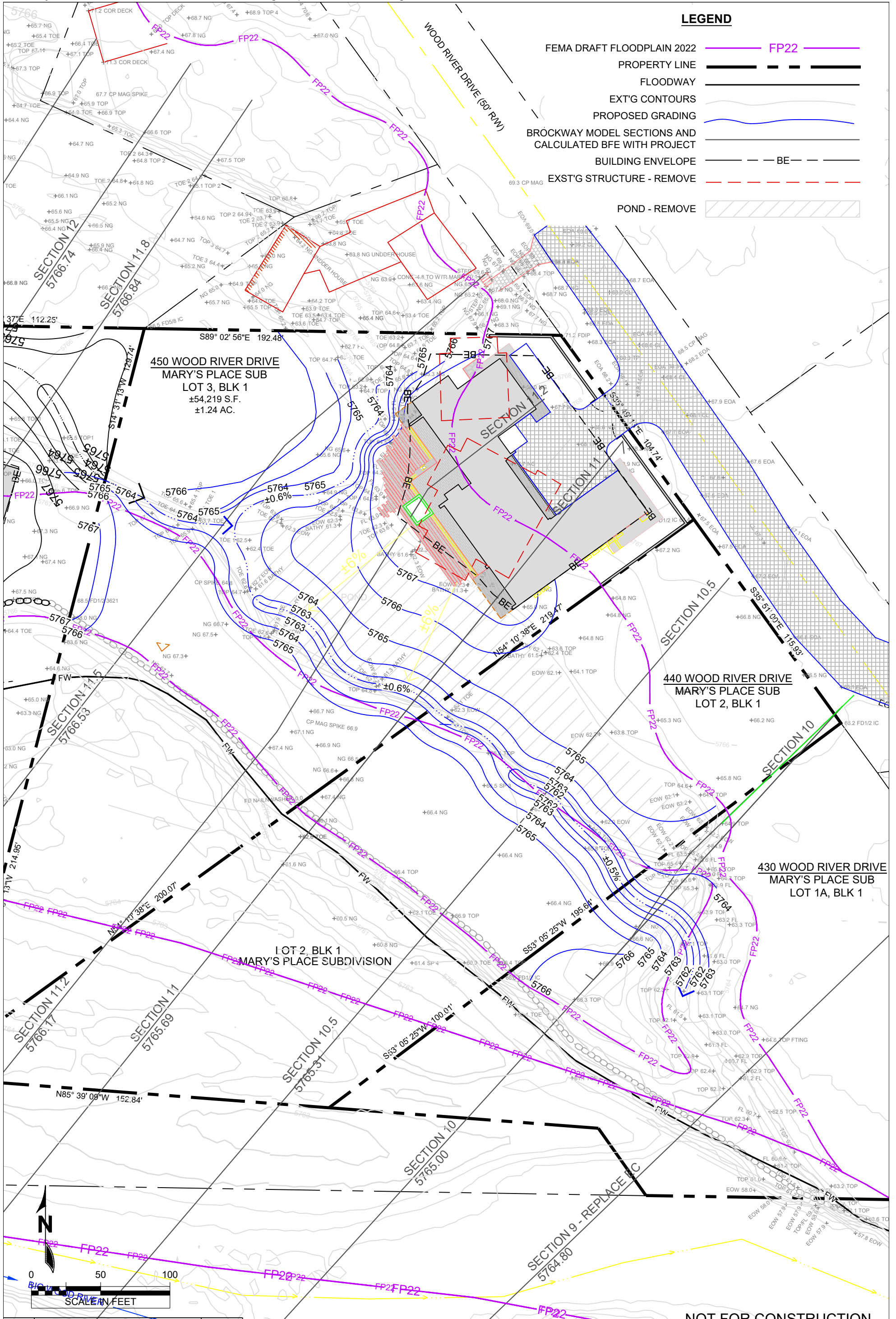
CITY OF KETCHUM- FLOODPLAIN DEVELOPMENT PERMIT
450 WOOD RIVER

1 in = 110 ft

BROCKWAY ENGINEERING, PLLC.
EMP - Date: 8/15/2023

2022 BLAINE COUNTY NEARMAP AERIAL





LEGEND

- FEMA DRAFT FLOODPLAIN 2022 — FP22 —
- PROPERTY LINE
- FLOODWAY
- EXT'G CONTOURS
- PROPOSED GRADING
- BRÖCKWAY MODEL SECTIONS AND CALCULATED BFE WITH PROJECT
- BUILDING ENVELOPE BE
- EXST'G STRUCTURE - REMOVE
- POND - REMOVE

**450 WOOD RIVER DRIVE
MARY'S PLACE SUB
LOT 3, BLK 1
±54,219 S.F.
±1.24 AC.**

**440 WOOD RIVER DRIVE
MARY'S PLACE SUB
LOT 2, BLK 1**

**430 WOOD RIVER DRIVE
MARY'S PLACE SUB
LOT 1A, BLK 1**

**LOT 2, BLK 1
MARY'S PLACE SUBDIVISION**

NOT FOR CONSTRUCTION

REV	ISSUE FOR PERMITTING DESCRIPTION	DATE
A	ISSUE FOR PERMITTING	8/15/2023

THIS DRAWING HAS BEEN PREPARED BY BROCKWAY ENGINEERING, PLLC FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.

SCALE AS SHOWN
(1" = 17.50' ON 11")

DESIGNED BY
CGB

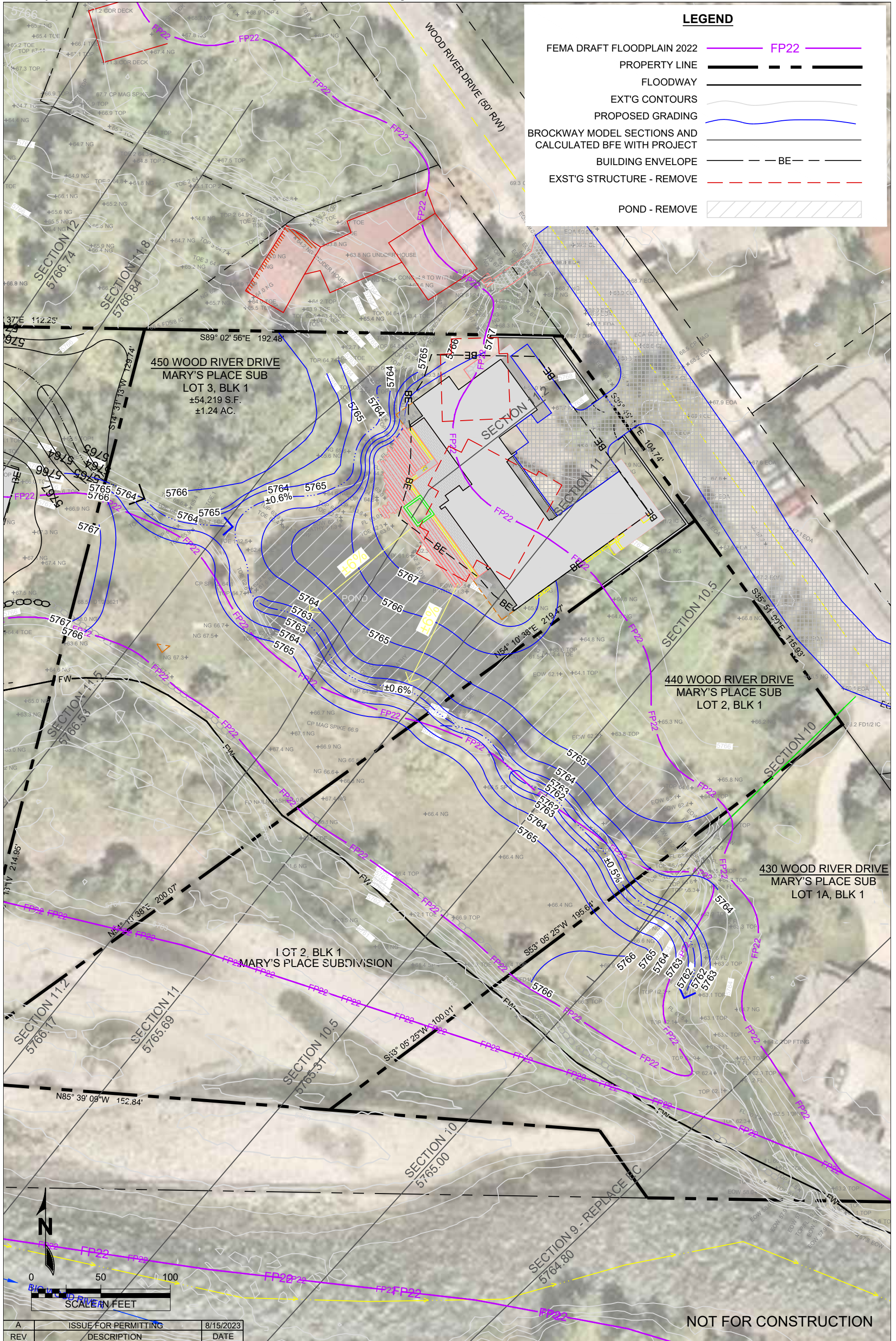
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BROCKWAY ENGINEERING, PLLC
HYDRAULICS - HYDROLOGY - WATER RESOURCES
2016 NORTH WASHINGTON, SUITE 4
TWIN FALLS ID, 83301
(208) 736-8543

**FLOODPLAIN DEVELOPMENT PERMIT
450 WOOD RIVER**

FIGURE 2. SITE PLAN, PROJECT ELEMENTS WITH GRADING.

PROJECT # 1575-01-2021
DWG # 1
REV A



LEGEND

- FEMA DRAFT FLOODPLAIN 2022 —— FP22 ——
- PROPERTY LINE
- FLOODWAY
- EXT'G CONTOURS
- PROPOSED GRADING
- BROCKWAY MODEL SECTIONS AND CALCULATED BFE WITH PROJECT
- BUILDING ENVELOPE BE
- EXST'G STRUCTURE - REMOVE
- POND - REMOVE

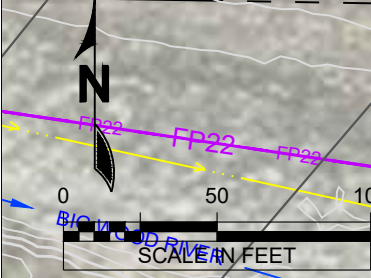
450 WOOD RIVER DRIVE
MARY'S PLACE SUB
LOT 3, BLK 1
±54,219 S.F.
±1.24 AC.

440 WOOD RIVER DRIVE
MARY'S PLACE SUB
LOT 2, BLK 1

430 WOOD RIVER DRIVE
MARY'S PLACE SUB
LOT 1A, BLK 1

LOT 2, BLK 1
MARY'S PLACE SUBDIVISION

NOT FOR CONSTRUCTION



REV	DESCRIPTION	DATE
A	ISSUE FOR PERMITTING	8/15/2023

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SCALE AS SHOWN
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CGB

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BROCKWAY ENGINEERING, PLLC
HYDRAULICS - HYDROLOGY - WATER RESOURCES
2016 NORTH WASHINGTON, SUITE 4
TWIN FALLS ID, 83301
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FLOODPLAIN DEVELOPMENT PERMIT
450 WOOD RIVER
FIGURE 2. SITE PLAN, PROJECT ELEMENTS WITH GRADING.

PROJECT #	1575-01-2021
DWG #	1
REV	A

Appendix A
HEC-RAS Output and Cross-Sections

Presidio Vista - 450 Wood River HEC-RAS Model Output

8/15/2023

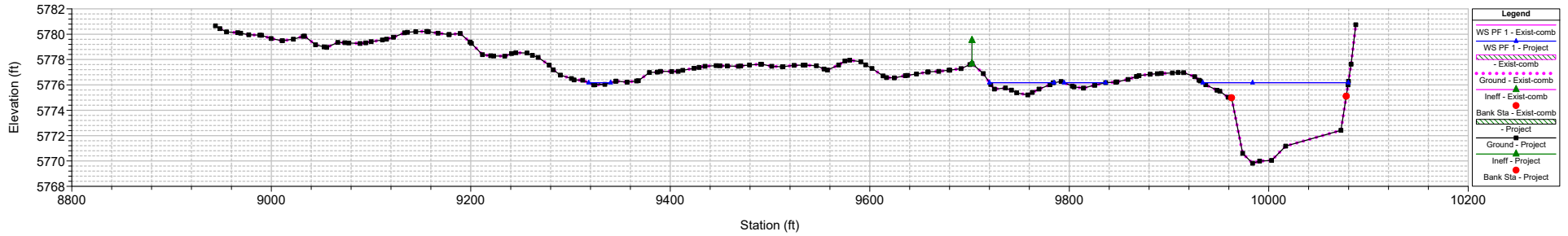
BASELINE EXISTING CONDITIONS

Sec No	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)
16	Reach-1	93417.33	PF 1	6363	5769.82	5776.17	5776.17	5778.2	0.009273	11.49	612.51	274.18
15.5	Reach-1	92671.74	PF 1	6363	5765	5773.22	5771.45	5773.86	0.002402	6.79	1516.95	550.9
15	Reach-1	92471.74	PF 1	6363	5763.7	5770.90	5770.38	5772.95	0.00722	11.54	611.6	554.57
14	Reach-1	92232	PF 1	6363	5762.2	5769.40	5768.91	5770.61	0.009666	8.9	775.68	313.54
13.5	Reach-1	92123	PF 1	6363	5761.6	5768.94	5768.00	5769.62	0.006205	6.74	1036.11	494.29
13	Reach-1	92065	PF 1	6363	5761.3	5767.85	5767.85	5769.02	0.016779	8.82	804.5	413.79
	Reach-1	92021			Culvert							
12.5	Reach-1	91977	PF 1	6363	5760.4	5767.58	5766.42	5768.08	0.004349	5.81	1312.41	534.71
12	Reach-1	91945	PF 1	6363	5760	5766.73	5766.73	5767.8	0.012563	8.52	856.43	408.89
11.8	Reach-1	91911	PF 1	6363	5759.7	5766.80	5766.02	5767.32	0.006427	6.1	1297.81	525.33
11.5	Reach-1	91836	PF 1	6363	5758.42	5766.34	5765.45	5766.86	0.005793	5.94	1211.62	463.33
11.2	Reach-1	91755	PF 1	6363	5757.8	5766.14	5764.60	5766.47	0.003453	4.96	1471.74	438.42
11	Reach-1	91715	PF 1	6363	5757.02	5765.77	5764.71	5766.27	0.005038	6.03	1232.67	407.42
10.5	Reach-1	91640	PF 1	6363	5757	5765.40	5764.23	5765.91	0.004718	6.05	1275.71	407.36
10	Reach-1	91565	PF 1	6363	5756.85	5764.98	5763.61	5765.61	0.003559	6.95	1172.05	351.6
9	Reach-1	91427	PF 1	6363	5756.85	5764.80	5762.28	5765.37	0.002357	6.29	1324.93	373.55
8	Reach-1	91103.24	PF 1	6363	5755.22	5761.89	5761.73	5763.89	0.009221	11.61	730.72	275.48
7	Reach-1	90690.8	PF 1	6363	5752.51	5759.68	5758.64	5760.93	0.005003	9.02	772.47	374.2

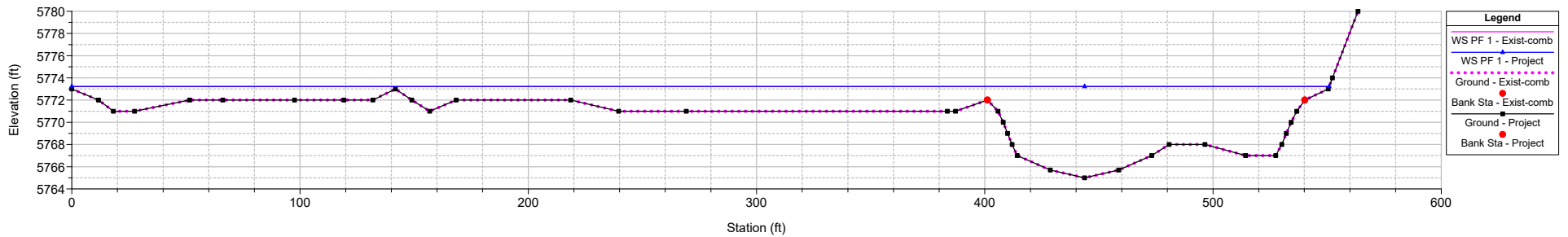
WITH PROJECT

Sec No	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)
16	Reach-1	93417.33	PF 1	6363	5769.82	5776.17	5776.173	5778.2	0.009273	11.49	612.51	274.18
15.5	Reach-1	92671.74	PF 1	6363	5765	5773.22	5771.454	5773.86	0.002402	6.79	1516.95	550.9
15	Reach-1	92471.74	PF 1	6363	5763.7	5770.90	5770.378	5772.95	0.00722	11.54	611.6	554.57
14	Reach-1	92232	PF 1	6363	5762.2	5769.40	5768.914	5770.61	0.009666	8.9	775.68	313.54
13.5	Reach-1	92123	PF 1	6363	5761.6	5768.94	5767.999	5769.62	0.006208	6.74	1035.93	494.29
13	Reach-1	92065	PF 1	6363	5761.3	5767.85	5767.849	5769.02	0.016779	8.82	804.5	413.79
	Reach-1	92021			Culvert							
12.5	Reach-1	91977	PF 1	6363	5760.4	5767.58	5766.424	5768.08	0.004363	5.82	1310.58	533.92
12	Reach-1	91945	PF 1	6363	5760	5766.74	5766.727	5767.8	0.012352	8.46	862.63	409.9
11.8	Reach-1	91911	PF 1	6363	5759.7	5766.84	5766.024	5767.34	0.006167	6.02	1317.57	526.07
11.5	Reach-1	91836	PF 1	6363	5758.42	5766.53	5765.362	5766.93	0.004269	5.29	1418.52	506.29
11.2	Reach-1	91755	PF 1	6363	5757.8	5766.17	5764.953	5766.6	0.004155	5.47	1288.95	413.29
11	Reach-1	91715	PF 1	6363	5757.02	5765.69	5764.884	5766.35	0.006463	6.73	1054.53	375.26
10.5	Reach-1	91640	PF 1	6363	5757	5765.31	5764.322	5765.9	0.005422	6.39	1184.45	420.2
10	Reach-1	91565	PF 1	6363	5756.85	5765.00	5763.632	5765.59	0.003411	6.82	1241.27	393.78
9	Reach-1	91427	PF 1	6363	5756.85	5764.80	5762.283	5765.37	0.002357	6.29	1324.93	373.55
8	Reach-1	91103.24	PF 1	6363	5755.22	5761.89	5761.734	5763.89	0.009221	11.61	730.72	275.48
7	Reach-1	90690.8	PF 1	6363	5752.51	5759.68	5758.641	5760.93	0.005003	9.02	772.47	374.2

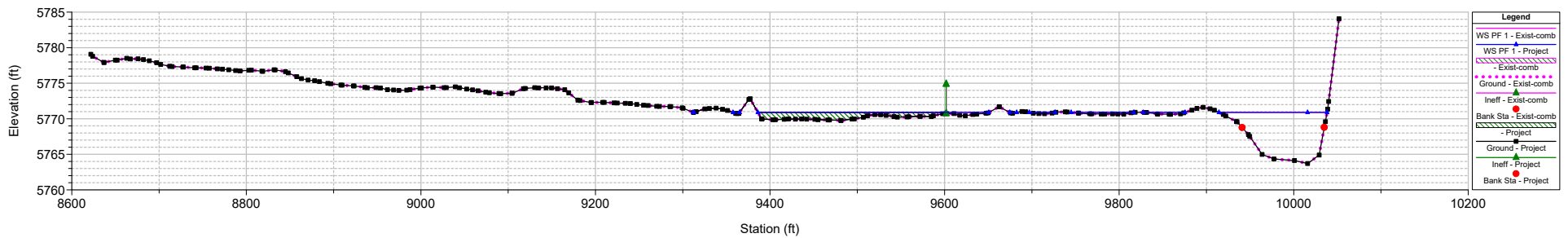
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 93417.33 Section 16 / From draft model



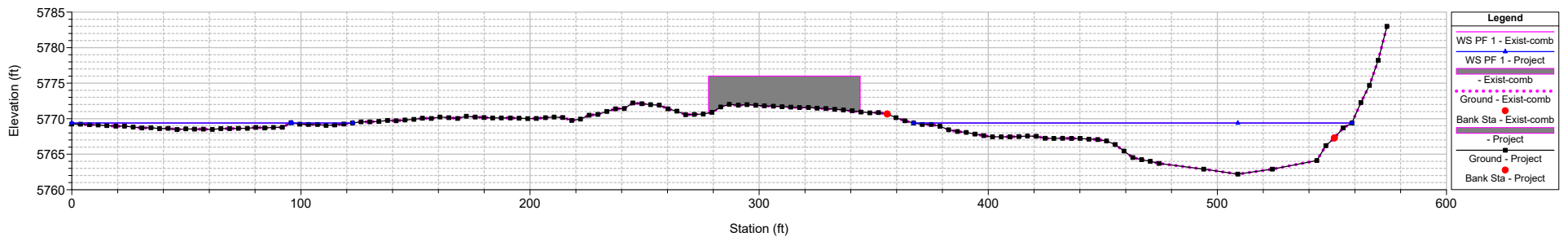
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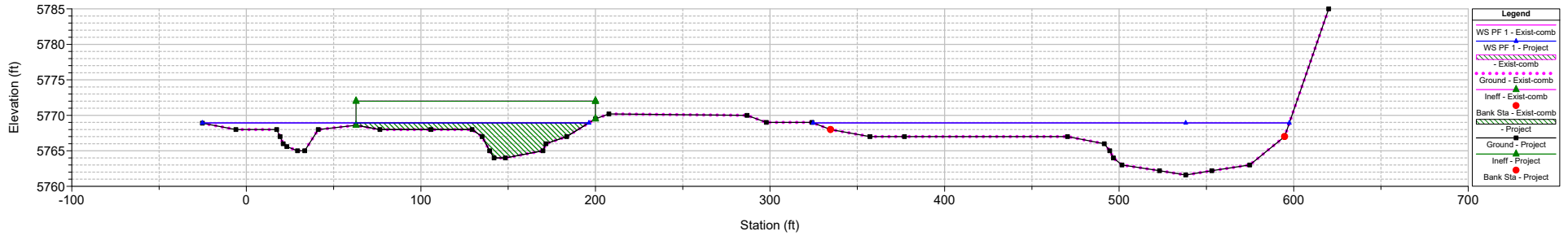
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RS = 92471.74 Section 15 / From draft model



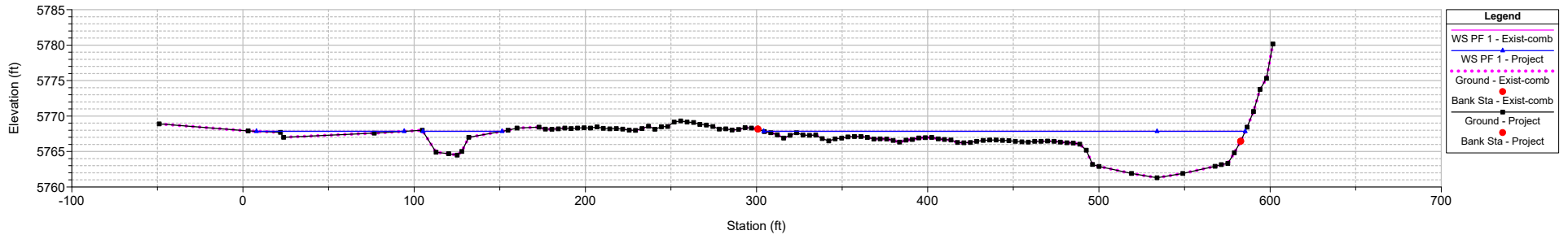
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RS = 92232 New Section 14



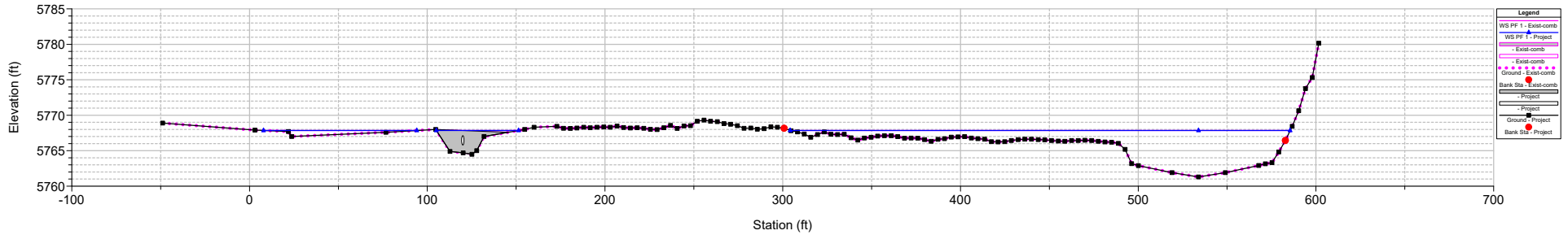
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RS = 92123 New Section 13.5



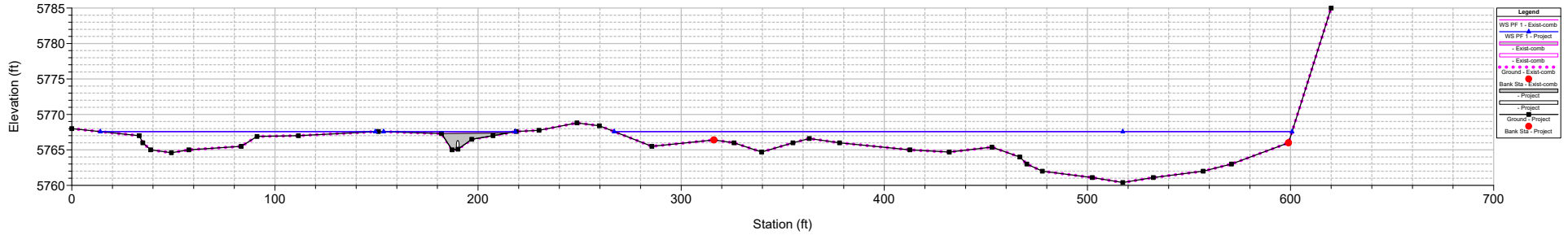
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RS = 92065 New Section 13



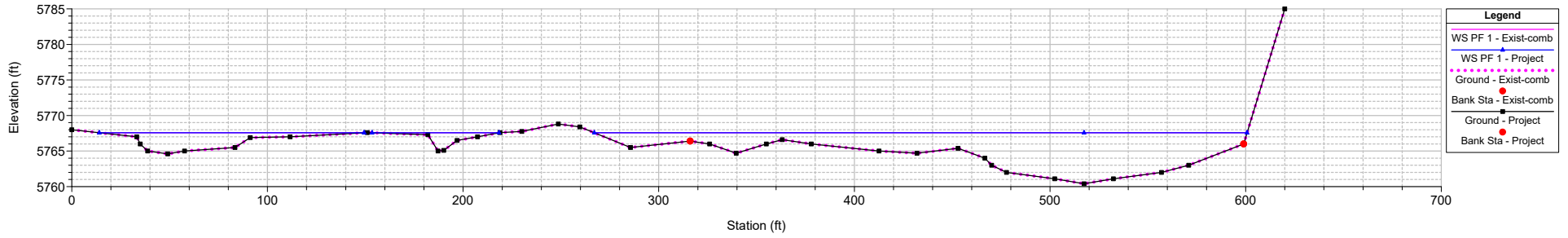
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RS = 92021 Culv



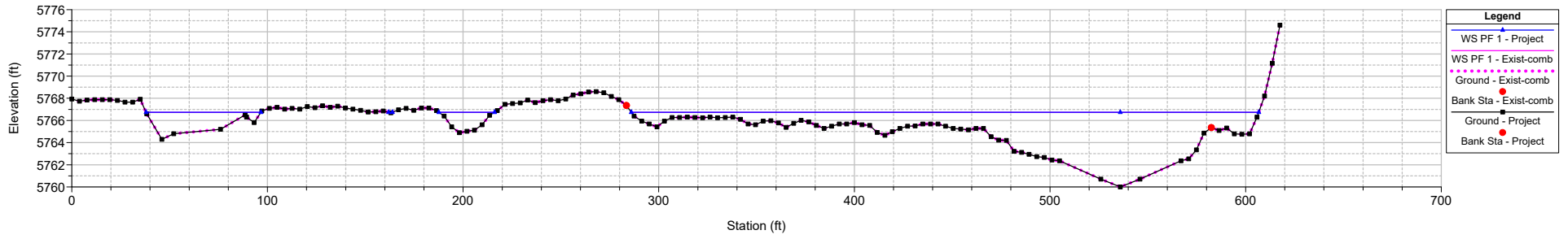
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 92021 Culv



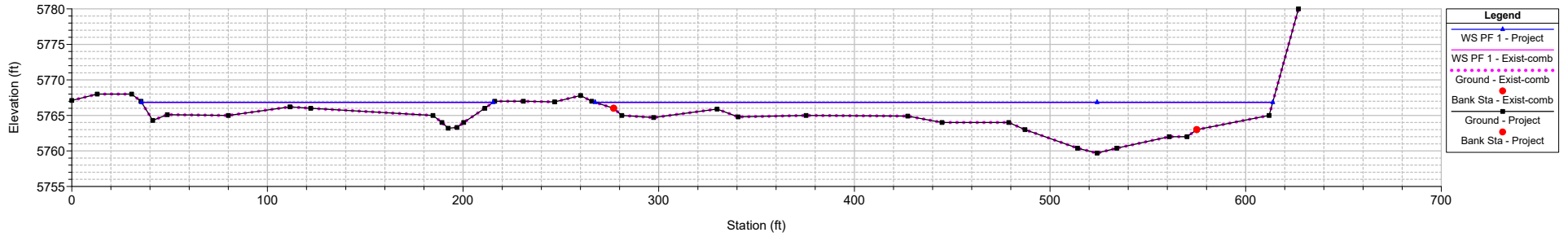
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91977 New Section 12.5



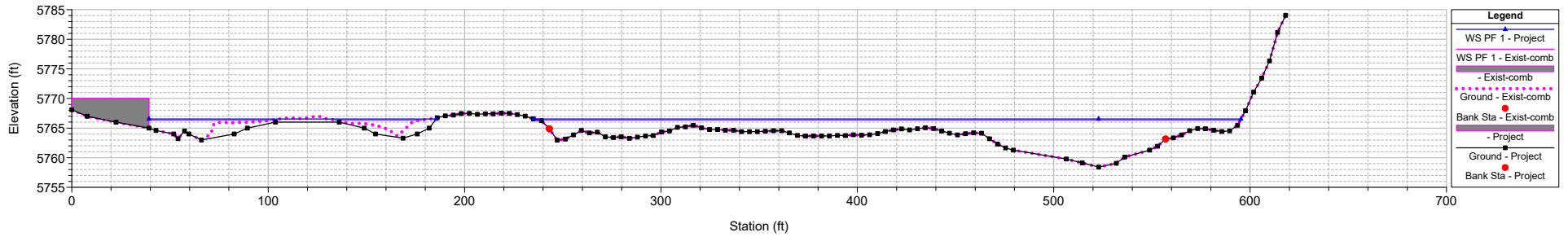
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91945 New Section 12



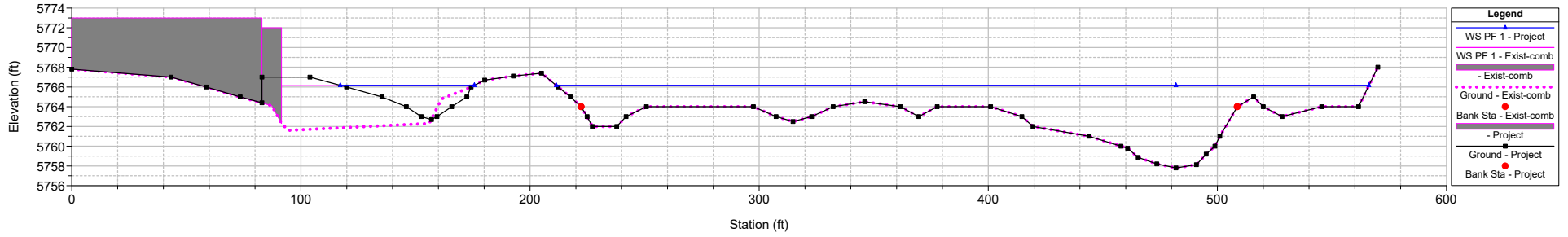
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91911 Section 11.8



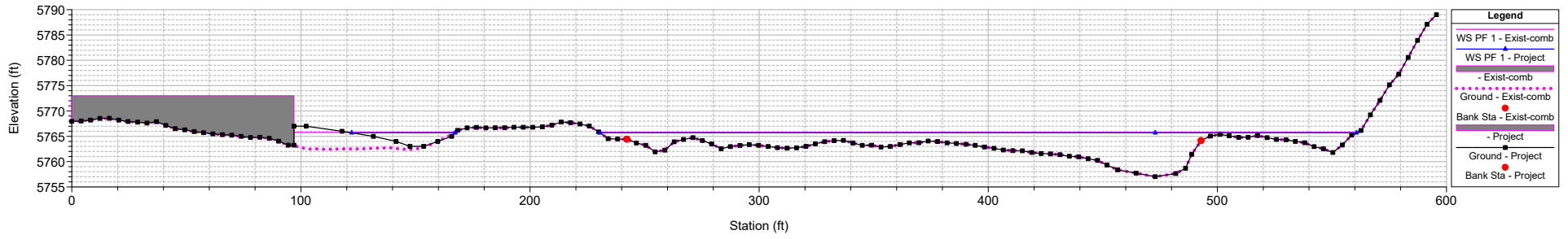
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91836 New Section 11.5



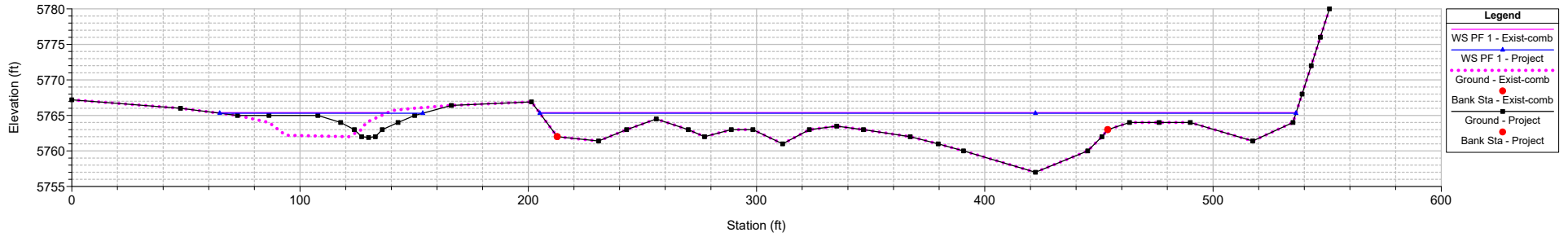
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91755 Section 11.2



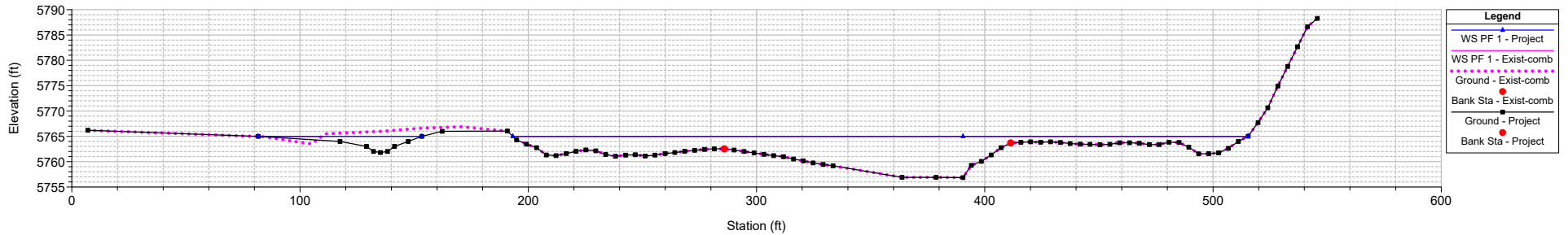
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91715 New Section 11



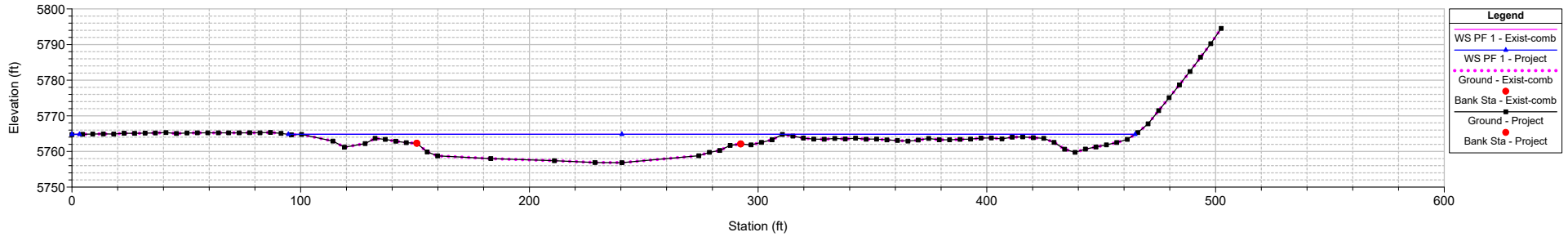
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91640 Section 10.5



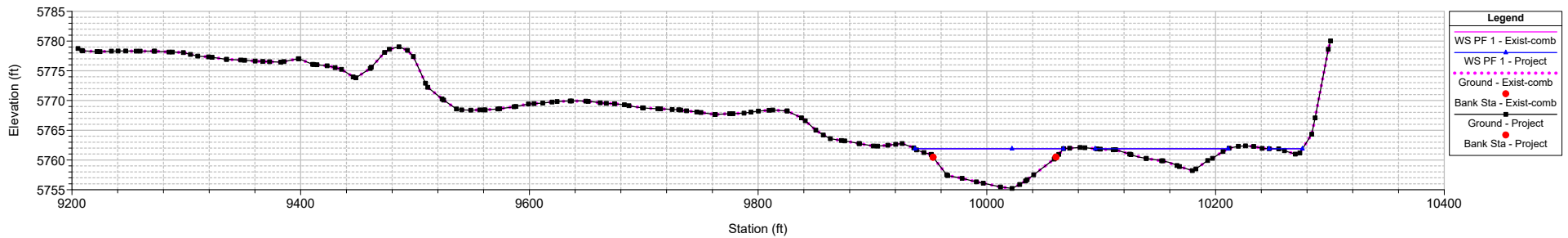
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91565 New Section 10



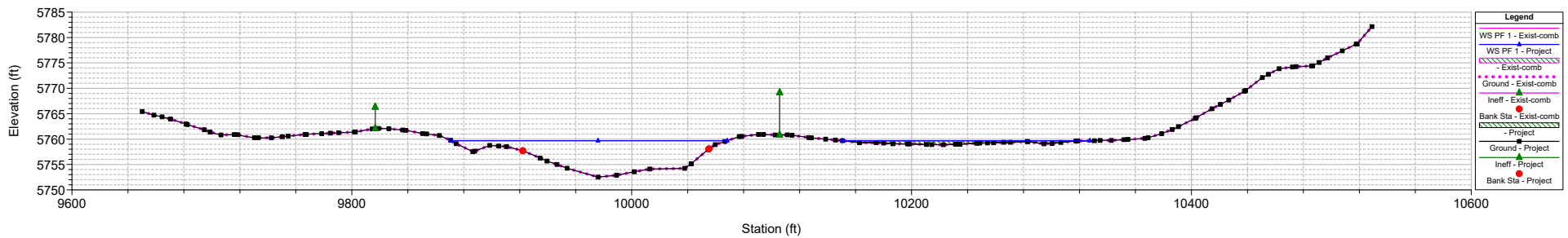
Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91427 New Section 9



Presidio450 Plan: 1) Project 2) Exist-comb
RS = 91103.24 Section 8 / From draft model



Presidio450 Plan: 1) Project 2) Exist-comb
RS = 90690.80 Section 7 / From draft model

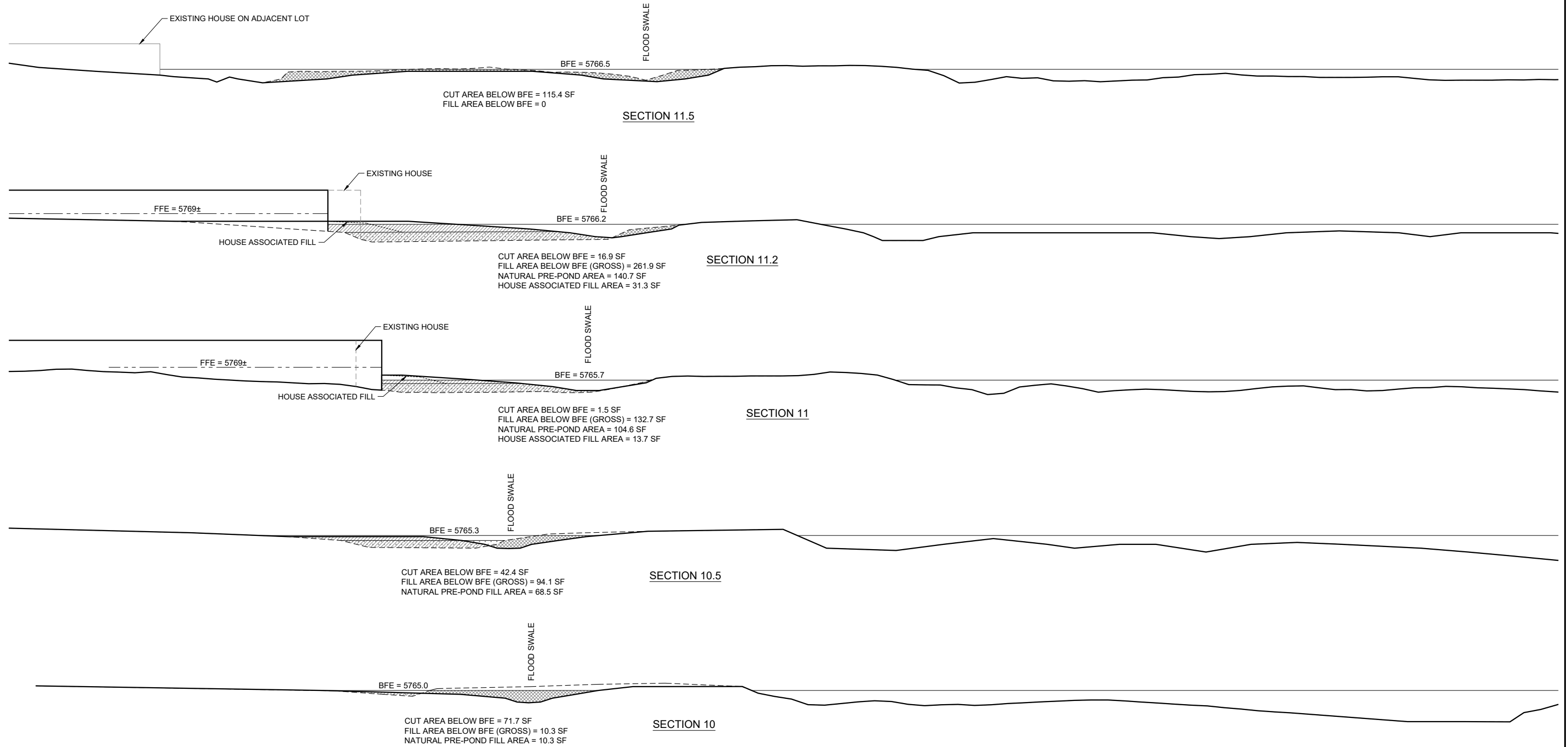


Appendix B
Cut-Fill Analysis

- EXISTING GRADE
- PROJECT GRADE
- BASELINE BFE CALCULATED
- ▨ FILL BELOW BFE
- ▩ CUT BELOW BFE
- ▧ ADDITIONAL CUT RIVER SIDE
- ▤ ESTIMATED PRE-POND NATURAL

CUT/FILL ANALYSIS - 450 WOOD RIVER

BFE = COMBINED FLOW ANALYSIS, PROPOSED CONDITIONS MODEL 8/10/2023
 HOUSE IN EXISTING BUILDING ENVELOPE, POND FILL, SWALE ADDED



THIS DRAWING HAS BEEN PREPARED BY BROCKWAY ENGINEERING, PLLC. FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.

REV	DESCRIPTION	DATE	APPD.
A	HOUSE IN EXISTING BLDG ENVELOPE	8/15/2023	

DESIGNED BY CGB	DRAFTED BY CGB
NO SCALE	

BROCKWAY ENGINEERING, PLLC.
 HYDRAULICS - HYDROLOGY - WATER RESOURCES
 2016 NORTH WASHINGTON, SUITE 4
 TWIN FALLS, ID. 83301
 (208) 736-8543

**450 WOOD RIVER
 FLOODPLAIN DEVELOPMENT PERMIT
 CUT AND FILL AREAS BELOW CALCULATED
 BFE (100-YEAR FLOW)**

PROJECT # 1575-01-2021	DWG #	REV
FIGURE 3		A

Analysis of Cut and Fill Volume Below BFE

Pre-Pond Natural Baseline

450 standalone project

BFE calculated with PROPOSED CONDITIONS model

Volumes calculated using frustum formula

CGB 8/15/2023

Section	Station	Avg dist between sections	Cut Area (ft2)	Fill Area (ft2)	Delta V (cy)		Associated house fill*	
					Cut	Fill	Area (ft2)	Delta V
Start grading (prop line)	0		0.0	0.0			0	
11.5	40	40	115.4	0.0	57.0	0.0	0.0	0.0
11.2	106	66	16.9	121.2	143.8	98.8	31.3	25.5
11	152	46	1.5	28.1	13.3	117.9	13.7	37.3
10.5	227	75	42.4	25.6	48.0	74.6	0.0	12.7
10	302	75	71.7	0.0	156.7	23.7	0.0	0.0
End grading - 9.5	334	32	0.0	0.0	16.8	10.1	0.0	0.0
Totals					435.6	325.1		75.5

Total gross cut	435.6 cy
Total gross fill	325.1 cy
Associated house fill	75.5 cy
Net fill (gross minus associated house fill)	249.6 cy
Net cut-fill balance excluding associated house fill	186.0 cy



Technical Memo

To: City of Ketchum
From: Charles G. Brockway, P.E.
Cc:
Date: March 8, 2024
Re: Additional technical information for 450 Wood River Drive Floodplain Development Permit Application



This memo provides additional information in response to a memo from Harmony Design and Engineering dated January 11, 2024, and in response to a comment letter from the City of Ketchum planning staff dated January 22, 2024, Floodplain Development Review Comments, Items #1 and #7.

A. Response to Harmony memo.

The Harmony memo included comments on the modeling and calculations for the project that were described in a memo to the City dated August 15, 2023. Each number below corresponds to an item in the Harmony memo:

1. A flow of 6,879 cfs will be used.
2. A review of the roughness coefficients indicates they appear to be reasonable. General guidelines for selection were based on Chow (1959) and were: 0.1 for very rough brush/tree areas, 0.08 for natural moderately rough areas, 0.06 for either natural lightly brushed areas or modified areas with expected riparian vegetation, 0.04 for modified areas with landscaping. The main change is a move from 0.06 to 0.04 behind the house. This area is currently an algae-filled pond with heavy growth along the banks, and will be converted to relatively smooth lawn. This change in roughness coefficient seems realistic and does assist with meeting the no-rise. A copy of the HEC-RAS model is being provided for review.
3. Response to be provided by Galena-Benchmark.
4. The model was revised to eliminate all rise.

Toward this goal it was decided to develop a more refined model that analyzes the east leg independently since it is topographically isolated from the main channel. The calculation of the discharge in the east channel during the 100-year event in the Big Wood River was based on an analysis previously submitted to the city, as follows. The lateral outflow from the main river to the east leg was assumed to be reasonably represented as a weir stretching between the east floodplain boundary and the high area between Sections 15 and 15.5, i.e. at the upstream "entrance" to the east flow path. The elevations were taken from the LiDAR topography, with the crest elevation varying from 5770.5 to 5772.0 feet, averaging about 5771.0 feet. The weir coefficient was taken to be 2.0, representing a wide, flat, broad-crested weir with a very rough surface. The starting station for the lateral outflow was set equal to the Section 15 station. In general, the location and parameters were selected to ensure that this approach did not

underestimate the discharge in the east flow area. The above approach resulted in an east leg discharge of 473 cfs.

The previous grading plan from the August 15, 2023 memo was adjusted to eliminate all modeled increases in flood height when compared to the existing condition. This revised grading plan is shown on the attached sheet. The model predicts changes in flood height ranging from zero to -0.40 feet relative to the baseline pre-project condition. The larger decreases occur near the lower end of the legacy pond, where the new channel will be excavated well below the current overflow elevation of the pond. The small increases that were predicted at cross-sections 11.5 and 11.8 have been eliminated. Computed profiles are shown in Figure 1 for the existing (base) and post-project models. Model output is shown on the attached sheet.

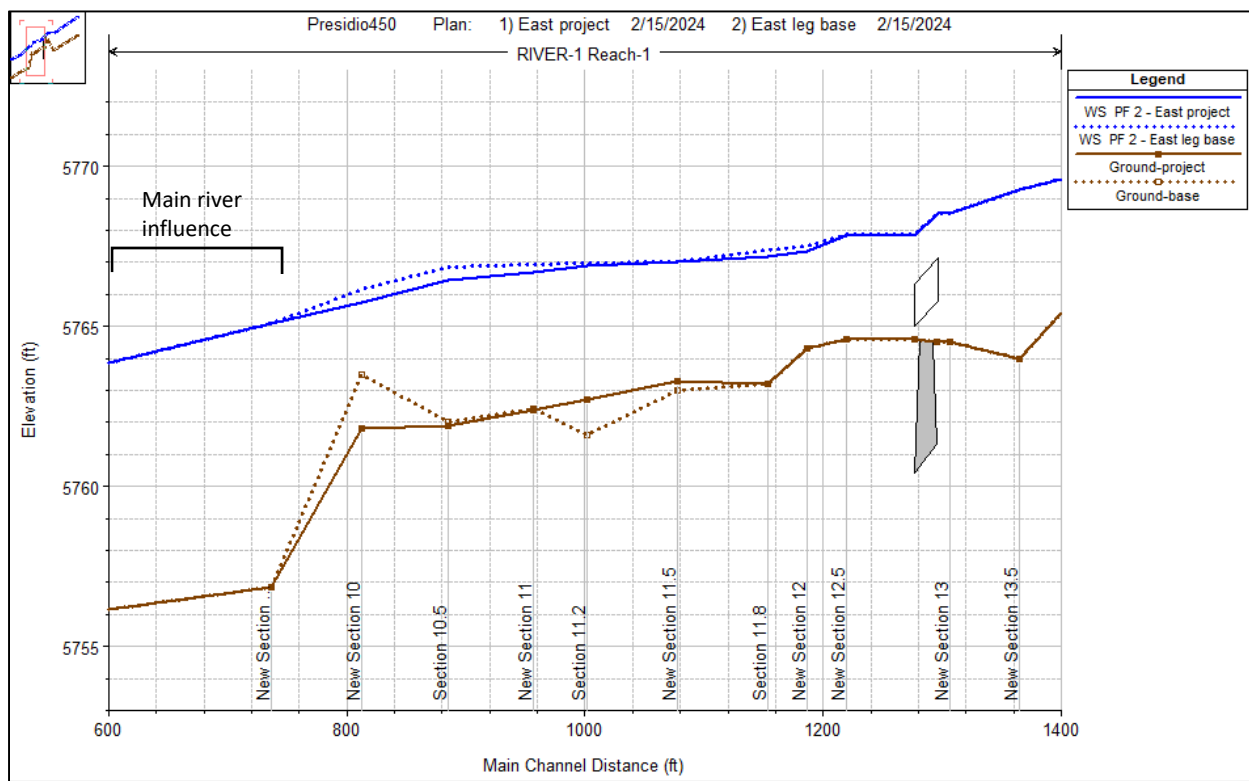


Figure 1. Computed water surface profiles.

B. Cut-fill recalculation

The compensatory storage analysis was recalculated based on the same methodology set forth in the August 15, 2023 memo, but using the higher water surface elevations calculated by the revised model and the revised grading plan developed to achieve a no-rise condition. The revised cross-sections and section areas are shown on the attached sheet, and Table 1 shows the revised calculation.

Table 1. Cut and fill balance below calculated post-project BFE.

Section	Station (ft)	Avg dist between Sections (ft)	Cut Area (ft2)	Fill Area (ft2)	Delta V (cy)		Associated House Fill*	
					Cut	Fill	Area (ft2)	Delta V (cy)
Start grading (prop line)	0		0.0	0.0			0	
11.5	40	40	123.2	1.9	60.8	0.9	0.0	0.0
11.2	106	66	50.8	78.1	206.2	75.1	36.9	30.1
11	152	46	12.9	59.0	50.7	116.4	24.5	51.9
10.5	227	75	52.1	33.3	84.2	126.5	0.0	22.7
10	302	75	106.3	0.0	215.6	30.8	0.0	0.0
End grading - 9.5	334	32	0.0	0.0	20.6	13.2	0.0	0.0
Subtotals					638.1	363.0		104.7
TOTAL GROSS CUT					638.1	cy		
TOTAL GROSS FILL					363.0	cy		
ASSOCIATED HOUSE FILL					104.7	cy		
NET FILL (gross fill minus associated house fill)					258.3	cy		
NET CUT-FILL BALANCE					379.9	cy		

* 5% slope for 10 feet away from the foundation (based on the IRC), and a 4:1 slope further away from the foundation until intersection with natural grade

C. Response to planning staff letter, Floodplain Development Review Comments, Items #1 and #7

Item #1

The elevation of 5765.93 feet was the corresponding calculated elevation on one of the cross-sections prepared by the landscape architect to illustrate the proposed grading plan; it was not intended to represent the governing BFE for the project. The revised model with the higher flow calculates an elevation of 5766.88 at Section 11.2 and 5767.00 at Section 11.5. The most upstream point on the building is between these two cross-sections, and the interpolated elevation at that point that should be used for the building is 5766.95.

Item #7

Ketchum Municipal Code 17.88.060.B.10 requires that compensatory storage meet four criteria. The criteria a. through d. are listed below, with statements of how the proposed plan adheres to each criteria.

- a. Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, “equivalent elevation” means having similar relationship to ordinary high water and the best available 100-year water surface profiles;

The proposed floodplain storage enhancement is located within the same area and near the same elevations as the fill proposed for the residential project. It is within the floodplain that currently exists without the project.

- b. Be hydraulically connected to the source of flooding;

The proposed floodplain storage enhancement is within the same flow path as currently exists during flooding periods and is not isolated or disconnected from the floodplain.

- c. Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before the flood season begins.

The swale grading plan can take place in the same season as the house construction, house-associated fill, and grading plan fill, thus assuring that flood carrying capacity will not be impaired for the following flood season.

- d. The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites.

In the proposed grading plan, a shallow swale is contemplated with a continuous slope toward the river. During times when the swale is carrying water, fish passage from the river will be possible. No ponded areas or similar fish stranding sites are proposed. Removal of the unauthorized pond with its elevated overflow will enhance fish passage potential. The area will be revegetated with appropriate riparian vegetation as indicated in the application materials.



Technical Memo

To: City of Ketchum
From: Charles G. Brockway, P.E.
Cc:
Date: April 15, 2024
Re: Updates to model and cut/fill analysis for 450 Wood River Drive
Floodplain Development Permit Application



This memo describes updated modeling and calculations to reflect a revised grading plan developed by Field Studio for the 450 Wood River Drive project. The grading adjustments include minor adjustments at cross-sections 11 and 11.2, made necessary by the increased design BFE for the residence. The HEC-RAS model previously described in a Brockway Engineering memo dated March 8, 2024 was adjusted and re-run. The model indicates a change in water surface elevation change compared to the previous model of 0.01 feet at Sections 11 and 11.2. The model continues to show no increase compared to pre-project conditions. The analysis of cut and fill was adjusted accordingly, and continues to indicate a substantial balance of cut over fill below the BFE. Model files are being provided to the city.

Attachments:

Model output table
Cut/fill cross-section analysis
Cut/fill tabulation

Presidio Vista - 450 Wood River HEC-RAS Model Output

4/15/2024 MODELING EAST LEG ONLY TO ACHIEVE NO-RISE, Q=473 CFS

4/15/2024 MINOR GRADING ADJUSTMENTS FROM FSLA

BASELINE EXISTING CONDITIONS

Sec No	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	roude #	Chl
16	Reach-1	93417.33	PF 2	6879	5769.82	5777.10	5776.53	5778.62	0.005656	10.09	901.18	561.55		0.75
15.5	Reach-1	92671.74	PF 2	6879	5765	5771.76	5771.76	5773.49	0.008458	10.68	773.76	358.53		0.88
15	Reach-1	92471.74	PF 2	473	5763.7	5770.37	5765.46	5770.38	0.000055	0.95	511.45	284.31		0.07
14	Reach-1	92232	PF 2	473	5768.47	5770.24	5769.66	5770.33	0.005146	2.45	193	217.67		0.46
13.5	Reach-1	92123	PF 2	473	5764	5769.27	5768.60	5769.45	0.014269	3.69	145.25	223.67		0.44
13	Reach-1	92065	PF 2	473	5764.5	5768.54	5767.78	5768.61	0.014338	2.46	245.42	277.4		0.34
	Reach-1	92021			Culvert									
12.5	Reach-1	91977	PF 2	473	5764.6	5767.87	5766.43	5767.92	0.009059	1.82	268.75	227.9		0.27
12	Reach-1	91945	PF 2	473	5764.3	5767.50	5766.38	5767.57	0.013518	2.11	223.95	188.12		0.34
11.8	Reach-1	91911	PF 2	473	5763.2	5767.38	5765.77	5767.4	0.00229	1.24	391.04	224.27		0.15
11.5	Reach-1	91836	PF 2	473	5763	5767.02	5765.68	5767.1	0.008434	2.24	214.56	148.9		0.32
11.2	Reach-1	91755	PF 2	473	5761.6	5766.97	5763.15	5766.99	0.000446	1.29	366.95	97.02		0.11
11	Reach-1	91715	PF 2	473	5762.43	5766.93	5763.85	5766.97	0.000678	1.52	316.45	115.99		0.14
10.5	Reach-1	91640	PF 2	473	5762	5766.85	5763.97	5766.89	0.001592	1.73	320.74	184.18		0.16
10	Reach-1	91565	PF 2	473	5763.5	5766.14	5766.14	5766.53	0.048758	5.6	106	129.34		0.95
9	Reach-1	91427	PF 2	6879	5756.85	5765.11	5762.49	5765.69	0.002294	6.4	1442.96	403.95		0.43
8	Reach-1	91103.24	PF 2	6879	5755.22	5762.11	5762.07	5764.21	0.009228	11.96	795.14	318.24		0.94
7	Reach-1	90690.8	PF 2	6879	5752.51	5759.92	5758.90	5761.25	0.005002	9.3	820.75	415.01		0.7

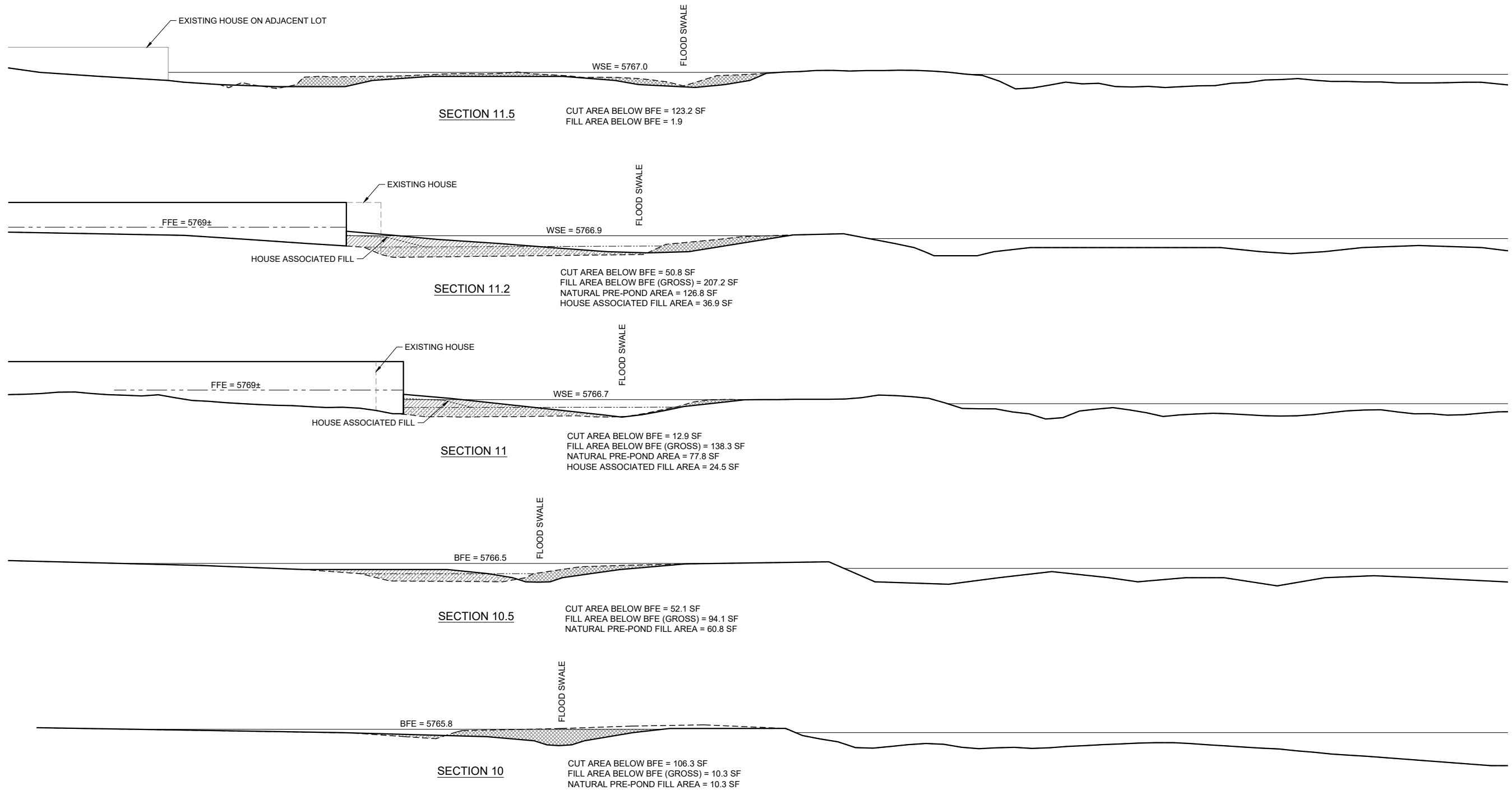
WITH PROJECT

Sec No	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	roude #	Ch	Delta WSE (ft)
16	Reach-1	93417.33	PF 2	6879	5769.82	5777.10	5776.526	5778.62	0.005656	10.09	901.18	561.55		0.75	0.00
15.5	Reach-1	92671.74	PF 2	6879	5765	5771.76	5771.76	5773.49	0.008458	10.68	773.76	358.53		0.88	0.00
15	Reach-1	92471.74	PF 2	473	5763.7	5770.37	5765.462	5770.38	0.000055	0.95	511.45	284.31		0.07	0.00
14	Reach-1	92232	PF 2	473	5768.47	5770.24	5769.66	5770.33	0.005146	2.45	193	217.67		0.46	0.00
13.5	Reach-1	92123	PF 2	473	5764	5769.27	5768.604	5769.45	0.014269	3.69	145.25	223.67		0.44	0.00
13	Reach-1	92065	PF 2	473	5764.5	5768.54	5767.781	5768.61	0.014338	2.46	245.42	277.4		0.34	0.00
	Reach-1	92021			Culvert										0.00
12.5	Reach-1	91977	PF 2	473	5764.6	5767.83	5766.433	5767.89	0.009973	1.87	260.33	226.01		0.29	-0.04
12	Reach-1	91945	PF 2	473	5764.3	5767.35	5766.375	5767.44	0.020514	2.41	196.25	184.29		0.41	-0.15
11.8	Reach-1	91911	PF 2	473	5763.2	5767.17	5765.767	5767.2	0.00328	1.39	344.6	217.13		0.18	-0.21
11.5	Reach-1	91836	PF 2	473	5763.3	5767.00	5764.923	5767.03	0.001569	1.42	333.53	150.07		0.17	-0.02
11.2	Reach-1	91755	PF 2	473	5762.7	5766.87	5764.826	5766.94	0.000962	2.08	227.98	94.95		0.23	-0.10
11	Reach-1	91715	PF 2	473	5762.4	5766.68	5765.401	5766.86	0.002881	3.33	142.9	72.31		0.4	-0.25
10.5	Reach-1	91640	PF 2	473	5761.9	5766.46	5765.266	5766.54	0.005902	2.45	214.96	140.62		0.29	-0.40
10	Reach-1	91565	PF 2	473	5761.8	5765.75	5764.964	5765.92	0.013309	3.32	155.52	125.1		0.44	-0.39
9	Reach-1	91427	PF 2	6879	5756.85	5765.11	5762.489	5765.69	0.002294	6.4	1442.96	403.95		0.43	0.00
8	Reach-1	91103.24	PF 2	6879	5755.22	5762.11	5762.069	5764.21	0.009228	11.96	795.14	318.24		0.94	0.00
7	Reach-1	90690.8	PF 2	6879	5752.51	5759.92	5758.898	5761.25	0.005002	9.3	820.75	415.01		0.7	0.00

- EXISTING GRADE
- PROJECT GRADE
- BASELINE BFE CALCULATED
- ▨ FILL BELOW BFE
- ▩ CUT BELOW BFE
- ▤ ESTIMATED PRE-POND NATURAL

CUT/FILL ANALYSIS - 450 WOOD RIVER

BFE = EAST LEG FLOW ANALYSIS, PROPOSED CONDITIONS MODEL, GRADING ADJUSTMENTS 4/15/2024
 HOUSE IN EXISTING BUILDING ENVELOPE, POND FILL, SWALE ADDED



THIS DRAWING HAS BEEN PREPARED BY BROCKWAY ENGINEERING, PLLC. FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.

REV	DESCRIPTION	DATE	APPD.
C	REVISED, EAST LEG MODEL, NEW GRADING	4/15/2024	
B	REVISED, EAST LEG MODEL, NEW GRADING	2/15/2024	
A	HOUSE IN EXISTING BLDG ENVELOPE	8/15/2023	

DESIGNED BY CGB	DRAFTED BY CGB
NO SCALE	

BROCKWAY ENGINEERING, PLLC.
 HYDRAULICS - HYDROLOGY - WATER RESOURCES
 2016 NORTH WASHINGTON, SUITE 4
 TWIN FALLS, ID. 83301
 (208) 736-8543

**450 WOOD RIVER
 FLOODPLAIN DEVELOPMENT PERMIT
 CUT AND FILL AREAS BELOW CALCULATED
 BFE (100-YEAR FLOW)**

PROJECT # 1575-01-2021	DWG #	REV
FIGURE 3		C

Analysis of Cut and Fill Volume Below BFE

Pre-Pond Natural Baseline

450 standalone project

BFE calculated with PROPOSED CONDITIONS model, east leg flow only

Volumes calculated using frustum formula

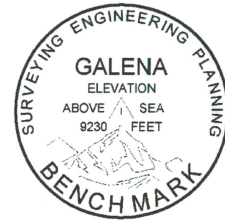
CGB 4/15/2024 - FSLA grading adjustments

Section	Station	Avg dist between sections	Cut Area (ft2)	Fill Area (ft2)	Delta V (cy)		Associated house fill*	
					Cut	Fill	Area (ft2)	Delta V
Start grading (prop line)	0		0.0	0.0			0	
11.5	40	40	123.2	1.9	60.8	0.9	0.0	0.0
11.2	106	66	50.8	80.4	206.2	77.1	36.9	30.1
11	152	46	12.9	60.5	50.7	119.6	24.5	51.9
10.5	227	75	52.1	33.3	84.2	128.4	0.0	22.7
10	302	75	106.3	0.0	215.6	30.8	0.0	0.0
End grading - 9.5	334	32	0.0	0.0	20.6	13.2	0.0	0.0
Totals					638.1	370.1		104.7

Total gross cut	638.1 cy
Total gross fill	370.1 cy
Associated house fill	104.7 cy
Net fill (gross minus associated house fill)	265.4 cy
Net cut-fill balance excluding associated house fill	372.7 cy

Galena-Benchmark Engineering

ENGINEERING, PLANNING, SURVEYING & MAPPING
PO Box 733
100 Bell Drive
Ketchum, Idaho 83340
208-726-9512



MEMORANDUM

Date: 3/04/2024

To: City of Ketchum

From: Phoebe Johannessen, PE – Galena Benchmark Engineering

Subject: On-site Drainage at 450 Wood River Drive

The following memo has been put together to provide the City of Ketchum with information to show the proposed residence at 450 Wood River Drive meets the Ketchum Code standard 17.124.170 (A). Calculations for proposed site conditions for the single-family dwelling as well as predeveloped flow are included in this memo. Using an infiltration rate of 2-inches per minute provided by the project's geotechnical engineer, the proposed drywell was calculated to infiltrate drainage from the new impervious areas on the site. These impervious areas include the house, driveway and patios which equate to approximately 0.22 acres.

The pre-developed flow rate for the 25-year storm is 0.59 cfs as calculated using the rational method. The developed condition runoff is 0.26 with a drywell infiltrating runoff from the proposed house, driveway and patios. Calculations are provided on page 2 of this memo. Thus the project will have an overall reduction in the 25-year on-site flow rate from 0.59 cfs to 0.26 cfs. A portion of this flow reduction is due to the removal of the existing pond, which will be replaced with a conveyance swale.

The drywell will be 5 feet deep with a 24" diameter perforated standpipe and a 3.5-ft-thick envelope of drain rock surrounding the pipe. Drainage from the driveway will be collected in a trench drain and piped through a series of catch basins to the drywell. Roof drains will tie into the 6" storm drain along the SE side of the house. Due to potential high groundwater tables during the spring, this drywell may overflow into the proposed channel downslope from the drywell. The channel drains to the Big Wood River. During normal conditions, the drywell is expected to infiltrate the site's stormwater runoff.



Mary's Place Subdivision Lot 3 - Predeveloped

BY: S.Smith
 DATE: 2/15/2024

Storm Intensity: 2.3 in/hr (25-year storm) Runoff Coefficients
 C: 0.95 (Pond)
 C: 0.1 (unimproved)

Lot 3	Area (AC)	Flow Rate (cfs)
unimproved	1.09	0.25
pond	0.16	0.34
Total =	1.24	0.59

Mary's Place Subdivision Lot 3 Proposed Development

BY: S.Smith
 DATE: 2/14/2024

Storm Intensity: 2.3 in/hr (25 year storm) Runoff Coefficients
 C: 0.2 Landscaped
 C: 0.9 Impervious

Lot 3	Area (AC)	Flow Rate (cfs)
House & Driveway Patios	0.22	0.45
Landscape	0.12	0.06
Undisturbed	0.91	0.21
Total =	1.24	0.71
Drywell Infiltration =		(0.45)
Developed Flow with Drywell =		0.26

C: 0.1 Undisturbed

Infiltration System Sizing Worksheet

450 Wood River Drive

Date: 3/1/2024

By: P. Johannessen

DRYWELL 1

Onsite Native Soil Infiltration

Infiltration Rate:	120	in/hr
Factor of Safety:	1.5	
Design Infiltration Rate:	80	in/hr

Site Infiltration Sizing

Land Use	Runoff Coeff (C)	Area (AC)
Undeveloped	0.1	0.00
Landscape	0.2	0.00
Impervious	0.9	0.22
Total Area		0.22

Weighted runoff coefficient: 0.90

Storage Volume Requirement

25-Year Storm Event

Duration (min)	Precip depth (in)	Accumulated Flow Volume (cf)	Bottom Infiltration Rate (cfs)	Bottom Infiltration Volume (cf)	Required Storage (Subtotal)* (cf)	Water Depth (ft)	Sidewall Infiltration Rate (cfs)	Sidewall Infiltration Volume (cf)	Drywell Infiltration Volume (cf)	Required Storage (cf)	Available Storage (cf)
5	0.24	172	0.12	35	137	2.2	0.11	34	69	103	137
10	0.38	273	0.12	71	202	3.2	0.17	100	171	102	137
15	0.48	345	0.12	106	239	3.8	0.20	177	283	62	137
30	0.67	482	0.12	212	269	4.2	0.22	399	611	0	137
60	0.84	604	0.12	424	180	2.8	0.15	532	956	0	137
120	1.01	726	0.12	848	0	0	0	0	848	0	137
180	1.15	827	0.12	1272	0	0	0	0	1272	0	137
360	1.50	1078	0.12	2545	0	0	0	0	2545	0	137
720	2.05	1473	0.12	5089	0	0	0	0	5089	0	137
1440	2.60	1869	0.12	10179	0	0	0	0	10179	0	137

*Storage requirement with bottom infiltration only.

Drywell Storage Requirement	103	Cu. Ft.
Drywell Storage Volume Provided	137	Cu. Ft.

Storage Volume Provided by Drywell 1

Drywell Structure Dimensions

Drywell Manhole Diameter:	2.0	ft
Drain Rock Thickness:	3.5	ft
Drain Rock Void Ratio:	0.4	
Depth of Rock:	5.0	ft

MH Base Area:	3.1	sf
Total Base Area:	63.6	sf
Drain Rock Annular Area:	60.5	sf
Drain Rock Circumference:	28.3	ft
Drywell Storage Volume:	137	Cu. Ft.

Appendix C
Joint Application for Permits

**Mary's Place Subdivision, Lot 3, Block 1
450 Wood River Drive
City of Ketchum, Blaine County, Idaho**

March 2023

450 - 490 Wood River, LLC
Presidio Vista Properties
P.O. Box 10092
Ketchum, ID 83340

Pre-construction notification is being submitted on behalf of 450 - 490 Wood River, LLC owners of Lot 3, Block 1, of the Mary's Place Subdivision, located 450 Wood River Drive, within Section 13, Township 4N., Range 17E., City of Ketchum, Blaine County, Idaho. Applicant request permit approval for residential development within existing platted building envelope.

450 Wood River Dr. residential development project, a cooperative resource reclamation project. Proposed project applications will result in impacts to WOTUS, fill unauthorized [excavated] pond and associated wetland margin. Identified jurisdictional resources located on 450, 440 and 430 Wood River Drive in Ketchum Idaho. Impacts include: construction of residential home, attendant landscape elements, associated grading applications and floodplain/riparian/wetland restoration applications. Project applications within identified WOTUS (wetlands) area of impact, approx. 0.27 ac (11,765 sq. ft.): permanent impact [fill] approx. 0.052 ac. (2,300 sq. ft.), and floodplain/riparian/wetland restoration applications approx. 0.22 ac. (9,465 sq. ft.). Proposed riparian/wetland mitigation applications will reclaim (restore/create/enhance) approximately 0.67 ac. (29,000 sq. ft.) of floodplain/riparian/wetland habitat resources.

Proposed development applications are considered to be the best alternative to provide for reasonable use of the existing platted building envelope. Proposed project applications will remove (fill) unauthorized pond, restore pond site to natural conditions and work to reclaim natural floodplain/riparian/wetland functions and value throughout the greater project site. Mitigation to offset for the proposed wetland impacts [permanent fill] will be implemented in conjunction with the City of Ketchum Floodplain Development regulations and requirements.

Due to the proposed wetland mitigation applications, locations of proposed development applications, site drainage characteristics and preserved vegetative buffers, changes to wetland functions, hydrological characteristics and processes are not anticipated.

Project will incorporate all applicable Best Management Practices (BMPs) such as silt fence and straw wattles to protect resource values and ensure compliance with Water Quality Standards and applicable environmental regulations. All disturbed areas will be reclaimed and vegetated with native riparian wetland plant species.

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-	Date Received:	<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.:

INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED

1. CONTACT INFORMATION - APPLICANT Required:				2. CONTACT INFORMATION - AGENT:			
Name: Matt Scoggins - Presidio Vista Properties				Name: Trent A. Stumph			
Company: 450-490 Wood River, LLC				Company: SAWTOOTH ENVIRONMENTAL CONSULTING, LLC			
Mailing Address: P.O. Box 14001-174				Mailing Address: P.O. Box 2707, 540 North 1st. Avenue			
City: Ketchum		State: ID	Zip Code: 83340	City: Ketchum		State: ID	Zip Code: 83340
Phone Number (include area code): 214-557-5533		E-mail: matt@presidiovistaproperties.com		Phone Number (include area code): 208-727-9748		E-mail: trent@sawtoothenvironmentalcom	

3. PROJECT NAME or TITLE: 450 Wood River Drive - Residential Development				4. PROJECT STREET ADDRESS: 450 Wood River Drive				
5. PROJECT COUNTY: Blaine		6. PROJECT CITY: Ketchum		7. PROJECT ZIP CODE: 83340		8. NEAREST WATERWAY/WATERBODY: Big Wood River		
9. TAX PARCEL ID#: RPK04740000030		10. LATITUDE: 43.673875° N LONGITUDE: -114.369850° W		11a. 1/4: SE	11b. 1/4: SE	11c. SECTION: 13	11d. TOWNSHIP: 4N	11e. RANGE: 17E
12a. ESTIMATED START DATE: June 2023		12b. ESTIMATED END DATE: July 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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES				13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				

14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks.
Parcel approximately 0.85 miles from downtown Ketchum. From the Main Street and Sun Valley Rd. intersection head southwest on Sun Valley Road, 0.27 mi. turn left onto Third Ave., 0.11 mi. turn right on to 1st St. (West Wood River Dr.), follow W Wood River Drive 0.46 mi. project site destination on the left, 450 Wood River Drive.

15. PURPOSE and NEED: Commercial Industrial Public Private 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.
Residential development Mary's Place Subd., Lot 3, Block 1 [450 Wood River Dr]. Proposed home-site development, attendant landscape features and grading applications will impact identified WOTUS fill unauthorized excavated pond and wetland margin: approximately 0.27 ac. (11,765 sq. ft.). Proposed floodplain, riparian, wetland restoration and mitigation: total area 0.92 ac. (40,000 sq. ft.) reclaim/create functional riparian wetland habitat.

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.:

450 Wood River Dr. residential development project, cooperative resource reclamation project. Proposed project applications will result in impacts to WOTUS, identified jurisdictional resources located on 450, 440 and 430 Wood River Drive in Ketchum Idaho. Impacts include: construction of residential home, attendant landscape elements, associated grading applications and floodplain/riparian/wetland restoration applications. Project applications within identified WOTUS (wetlands) area of impact, approx. 0.27 ac (11,765 sq. ft.); permanent impact [fill] approx. 0.052 ac. (2,300 sq. ft.), and floodplain/riparian/wetland restoration applications approx. 0.22 ac. (9,465 sq. ft.). Proposed riparian/wetland mitigation applications will reclaim (restore/create/enhance) approximately 0.67 ac. (29,000 sq. ft.) of floodplain/riparian/wetland habitat resources. Wetlands identified within the subject parcels are classified as Palustrine Unconsolidated Bottom Permanently Flooded Excavated (USFWS-NWI: PUBHx). Wetland characteristics associated with the identified wetland resources include open water (pond) and vegetated wetland margin (introduced and native vegetation).

Project applications involve the regrading (excavation) and placement of approximately 800 cu. yds. of material. Existing on-site material: soil/gravel/stone mix, fill associated with existing excavated pond. Subject material to be utilized to fill pond and regrade site. Standard construction equipment utilized to excavate, place and distribute materials (track excavator, loader and dozer).

Due to the locations of the proposed development applications, site drainage characteristics, proposed floodplain/riparian/wetland restoration and mitigation applications, and preserved vegetative buffers, changes to the hydrological characteristics and processes (periodic floodplain inundation and associated groundwater dynamics) are not anticipated.

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.

Proposed development applications are considered to be the best alternative to provide for reasonable use of the existing platted building envelope associated with the subject parcel(s). Proposed project applications will remove unauthorized pond (fill), restore pond site to natural condition and work to reclaim natural floodplain/riparian/wetland function and value throughout the greater project site.

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.

450 Wood River Drive residential development project has been designed to minimize impacts to the greatest extent practicable and reclaim (promote) natural system processes (floodplain/riparian/wetland). Mitigation to offset for the proposed project impacts [permanent fill] will be implemented in conjunction with City of Ketchum Floodplain Development regulations and FEMA requirements. On-site compensatory mitigation applications will be implemented throughout the greater project area. Due to the proposed mitigation applications, locations of proposed development applications, site drainage characteristics and preserved vegetative buffers, changes to wetland functions, hydrological characteristics and processes are not anticipated.

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

Dirt or Topsoil: 300 cubic yards
 Dredged Material: _____ cubic yards
 Clean Sand: _____ cubic yards
 Clay: _____ cubic yards
 Gravel, Rock, or Stone: 500 cubic yards
 Concrete: _____ cubic yards
 Other (describe): _____ : _____ cubic yards
 Other (describe): _____ : _____ cubic yards

TOTAL: 800 cubic yards

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

Filling: 0.27 acres 11,765 sq ft. 800 cubic yards
 Backfill & Bedding: _____ acres _____ sq ft. _____ cubic yards
 Land Clearing: _____ acres _____ sq ft. _____ cubic yards
 Dredging: _____ acres _____ sq ft. _____ cubic yards
 Flooding: _____ acres _____ sq ft. _____ cubic yards
 Excavation: _____ acres _____ sq ft. _____ cubic yards
 Draining: _____ acres _____ sq ft. _____ cubic yards
 Other: _____ : _____ acres _____ sq ft. _____ cubic yards

TOTALS: 0.27 acres 11,765 sq ft. 800 cubic yards

21. HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT? NO YES If yes, describe ALL work that has occurred including dates.
 NONE

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:
 NONE

NOTE: Cooperative project between 450-490 Wood River LLC [Applicant], landowner 450 Wood River Drive and North Point Trust Company, landowner 440 and 430 Wood River Drive

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: _____ 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

Proposed project applications will incorporate all applicable Best Management Practices to protect resource values and to ensure compliance with local, state and Federal Water Quality Standards and applicable environmental regulations. The following applications will be implemented throughout the identified project areas during all construction phases of the project and site reclamation to ensure successful project results.

- 1) Project applications will be constructed and completed when conditions are favorable and project locations are suitable for construction applications.
- 2) Practical construction sequencing and appropriate BMP applications, silt fence and/or straw wattles utilized and placed in appropriate locations within and along delineated limits of disturbance [LOD] to ensure compliance with Federal, state and local regulations.
- 4) All construction equipment will be free of leaks and in good working order. Storage, fueling and any unexpected repairs of equipment will be completed outside of wetlands and other sensitive habitat areas.
- 5) An emergency spill kit will be kept on site during construction activities.
- 6) All disturbed areas outside of the identified development footprint will be reclaimed and vegetated with native grass, shrub and tree species, bare soils will be stabilized with broadcast seed applications and containerized plantings. Reclamation applications will occur as soon as the proposed construction activities are complete.
- 7) Preserve and maintain native vegetation buffers within sensitive areas not disturbed by proposed development applications.

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
NA	Big Wood River	Perennial	NONE	
TOTAL STREAM IMPACTS (Linear Feet):				

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)
Riparian wetland restoration	Open Water (PUBHx) and wetland margin (PSSC)	100 (+/-)	Fill existing pond (unauthorized) and landscape grading	9,465
TOTAL WETLAND IMPACTS (Square Feet):				9,465

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

Name: City of Ketchum Mailing Address: PO Box 2315 City: State: Zip Code: Ketchum ID 83340 Phone Number (include area code): E-mail: 208.726.3841 participate@ketchumidaho.org	Name: North Point Trust Company Mailing Address: 333 W Blvd. Suite 305, 440 and 430 Wood River Drive City: State: Zip Code: Rapid City SD 57701 Phone Number (include area code): E-mail: gbraks@aol.com
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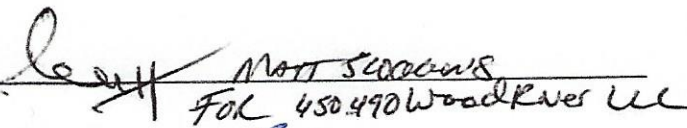
Name: 450-490 Wood River LLC [Applicant] Mailing Address: PO Box 14001-174, 490 Wood River Drive City: State: Zip Code: Ketchum ID 83340 Phone Number (include area code): E-mail: 214-557-5533 matt@presidiovistaproperties.com	Name: Russell and Carol Newcomb Mailing Address: 3392 Highlawn Drive, City: State: Zip Code: Twin Falls ID 83301 Phone Number (include area code): E-mail:
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Name: Don and Carole Armand Mailing Address: PO Box 5404, 460 Wood River Drive City: State: Zip Code: Ketchum ID 83340 Phone Number (include area code): E-mail:	Name: David Ward Mailing Address: PO Box 973 City: State: Zip Code: Sun Valley ID 83353 Phone Number (include area code): E-mail:
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Name: Meadow Brook Condominium Owners Association Mailing Address: PO Box 254 City: State: Zip Code: Ketchum ID 83340 Phone Number (include area code): E-mail:	Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:
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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: 3/16/23
 For 450.490 Wood River LLC

Signature of Agent:  Date: MAR-17, 2023

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".



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
BOISE REGULATORY OFFICE
720 EAST PARK BOULEVARD, SUITE 245
BOISE, IDAHO 83712-7757

May 15, 2023

WALLA WALLA DISTRICT
REGULATORY DIVISION

SUBJECT: NWW-2023-00200, 450 Wood River Drive Residential Development

Matt Scoggins
Presidio Vista Properties
P.O. Box 14001-174
Ketchum, Idaho 83340

Dear Mr. Scoggins:

We have determined that your proposed project, 450 Wood River Drive Residential Development, is authorized in accordance with Department of the Army (DA) **Nationwide Permit (NWP) No. 29: Residential Developments**. This project is located at 450 Wood River Drive, within Section 13 of Township 4 North, Range 17 East, near coordinates 43.673875° N latitude and -114.369850° W longitude, in Ketchum, Blaine County, Idaho. Please refer to File Number NWW-2023-00200 in all future correspondence with our office regarding this project.

Project activities include the discharge of fill and dredged material within PSSC wetlands adjacent to the Big Wood River and an unauthorized pond, which may be considered waters of the United States. The purpose of the proposed project is to construct a driveway access, building pad and other amenities associated with residential development. The work will entail the placement of roadway materials to allow for the construction of a driveway access road, landscape grading applications and landscape elements associated with residential development. Additionally, an unauthorized excavated pond will be filled; the majority of the filled pond will be restored to the previous natural riparian wetland habitat.

The proposed work will result in the discharge of approximately 800 cubic yards of fill and dredged material. Proposed project activities will permanently fill approximately 0.052 acres of wetlands; wetland restoration activities will impact approximately 0.22 acres, impacting a total of approximately 0.27 acres of wetland resources. Additional impacts include the restoration of 0.67 acres of wetlands associated with the Wetland Mitigation Plan. All work shall be done in accordance with the enclosed drawings, titled: *450-490 Wood River, LLC Maps and Designs, dated March 14, 2023.*

DA permit authorization is necessary because your project may involve the discharge of fill material into waters of the U.S. This authorization is outlined in Section 404 of the Clean Water Act (33 U.S.C. 1344).

You must comply with all general, regional, and special conditions, for this verification letter to remain valid and to avoid possible enforcement actions. The general and regional permit conditions for *NWP No. 29: Residential Developments* are attached and also available online¹. In addition, you must also comply with the special conditions listed below.

The following Special Conditions include:

Special Condition 1: Permittee shall mitigate for the impacts to 0.27 acres of wetlands by enhancing portions of the wetlands which occur on the parcel in accordance with the approved plan titled: *450-490 Wood River Wetland Mitigation Plan* dated *March 2023*.

Special Condition 2: Upon construction of the mitigation site, the Permittee shall submit a monitoring report to the Corps by January 1st of each year following construction for a period of three years or until the Corps has determined the mitigation site has met its performance standards as described in *450-490 Wood River Wetland Mitigation Plan* dated *March 2023*.

Special Condition 3: The permittee is responsible for all work done by any contractor. Permittee shall ensure any contractor who performs the work is informed of and follows all the terms and conditions of this authorization, including any Special Conditions listed above. Permittee shall also ensure these terms and conditions are incorporated into engineering plans and contract specifications.

You must also comply with the conditions detailed in the attached Section 401 Water Quality Certification (WQC) issued by the Idaho Department of Environmental Quality (IDEQ) on December 4, 2020. If you have any questions regarding the conditions set forth in the WQC, please contact IDEQ directly at 208-736-2190, Twin Falls Regional Office.

Nationwide Permit General Condition 30 (Compliance Certification) requires that every permittee who has received NWP verification must submit a signed certification regarding the completed work and any required mitigation. This Compliance Certification form is enclosed for your convenience and must be completed and returned to us within 30 days of your project's completion.

¹ <http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Nationwide-Permits/>

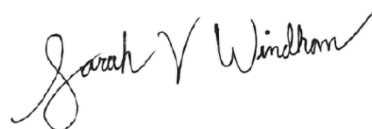
This letter of authorization does not convey any property rights, or any exclusive privileges and does not authorize any injury to property or excuse you from compliance with other Federal, State, or local statutes, ordinances, regulations, or requirements which may affect this work.

This verification is valid until **March 14, 2026**, unless the NWP is modified, suspended or revoked. If your project, as permitted under this NWP verification, is modified in any way you must contact our office prior to commencing any work activities. In the event that you have not completed construction of your project by March 14, 2026, please contact us at least 60-days prior to this date. A new application and verification may be required.

We actively use feedback to improve our delivery and provide you with the best possible service. If you would like to provide feedback, please take our online survey². If you have questions or if you would like a paper copy of the survey, please contact the Walla Walla District Regulatory. For more information about the Walla Walla District Regulatory program, you can visit us online³.

If you have any questions or need additional information about this permit authorization, you can contact me by phone at 208-433-4469, by mail at the address in the letterhead, or email at sarah.v.windham@usace.army.mil. For informational purposes, a copy of this letter has been sent to: Sean Woodhead with the Idaho Department of Environmental Quality, Aaron Golart with the Idaho Department of Water Resources, Trent Stumph, designated agent with Sawtooth Environmental Consulting, LLC and Kristine Hilt with Blaine County.

Sincerely,



Sarah V Windham
Project Manager, Regulatory Division

Encls

Transfer of Nationwide Permit Form
Compliance Certification

² <https://regulatory.ops.usace.army.mil/customer-service-survey/>

³ <http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/>

Drawings titled: *450-490 Wood River, LLC Maps and Designs*, dated *March 14, 2023*.

Nationwide Permit 29: Residential Developments general and regional conditions
IDEQ General Water Quality Certification dated December 04, 2020

TRANSFER OF NATIONWIDE PERMIT

When the structures or work authorized by this Nationwide Permit, **NWW-2023-00200 450 Wood River Drive Residential Development**, are still in existence at the time the property is transferred. The terms and conditions of this Nationwide Permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this Nationwide Permit, the associated liabilities and compliance with the terms and conditions the transferee must sign and date below.

Name of New Owner:

Street Address:

Mailing Address:

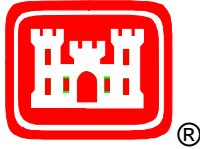
City, State, Zip:

Phone Number:

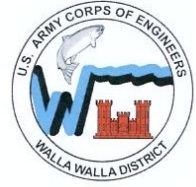
Signature of TRANSFEREE

DATE

COMPLIANCE CERTIFICATION



US Army Corps of Engineers
Walla Walla District



Permit Number: NWW-2023-00200

Name of Permittee: Matt Scoggins – Presidio Vista Properties

Date of Issuance: May 15, 2023

Upon completion of the activity authorized by this permit and any mitigation required by the permit, please sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Walla Walla District
Boise Regulatory Office
720 East Park Blvd., Suite 245
Boise, Idaho 83712-7757

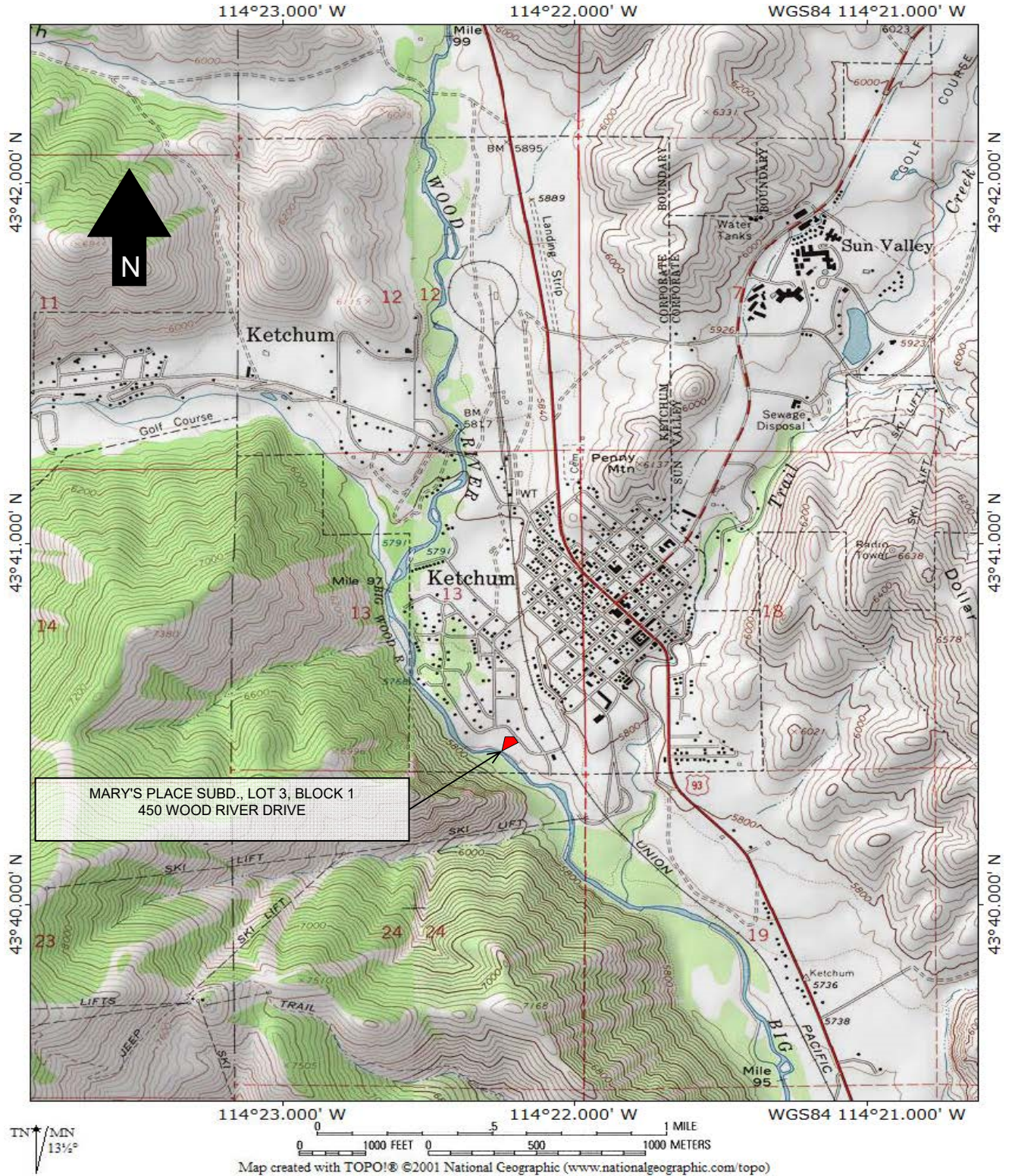
Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit, the permit is subject to suspension, modification, or revocation and you are subject to an enforcement action by this office.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit. The required mitigation was also completed in accordance with the permit conditions.

Signature of PERMITEE

DATE

450 - 490 WOOD RIVER, LLC
 450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT
 JOINT APPLICATION for PERMITS - PROJECT LOCATION VICINITY MAP



450 - 490 WOOD RIVER , LLC
 450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1
 Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

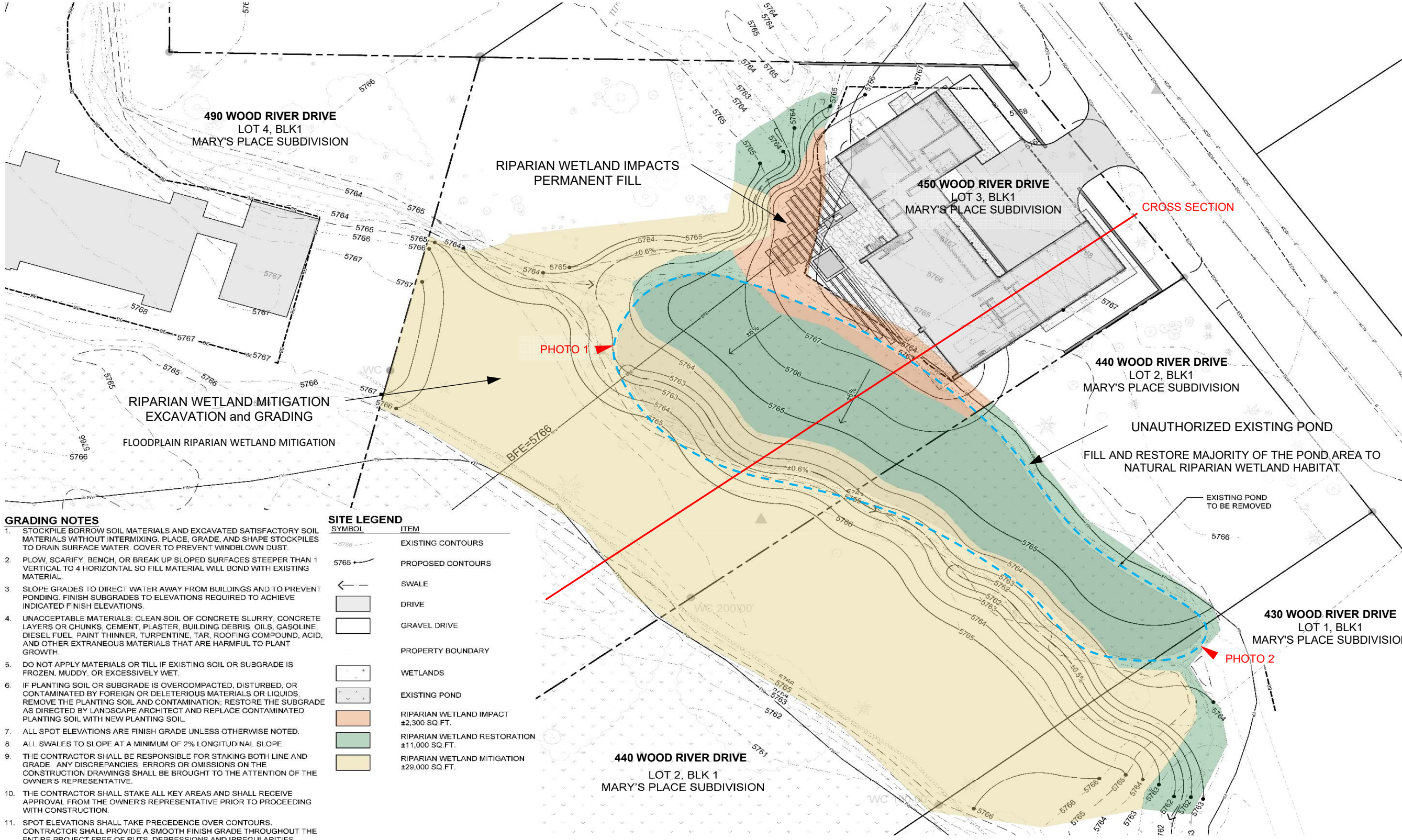
LOCATION VICINITY MAP

450 - 490 WOOD RIVER, LLC
 450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT
 JOINT APPLICATION for PERMITS - SITE PLAN MAP



DOCUMENT REUSE:
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PROJECT NUMBER: 2219

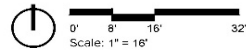


GRADING NOTES

- STOCKPILE BORROW SOIL MATERIALS AND EXCAVATED SATISFACTORY SOIL MATERIALS WITHOUT INTERMIXING, PLACE, GRADE, AND SHAPE STOCKPILES TO DRAIN SURFACE WATER. COVER TO PREVENT WINDBLOWN DUST.
- PLOW, SCARIFY, BENCH, OR BREAK UP SLOPED SURFACES STEEPER THAN 1 VERTICAL TO 4 HORIZONTAL SO FILL MATERIAL WILL BOND WITH EXISTING MATERIAL.
- SLOPE GRADES TO DIRECT WATER AWAY FROM BUILDINGS AND TO PREVENT PONDING. FINISH SUBGRADES TO ELEVATIONS REQUIRED TO ACHIEVE INDICATED FINISH ELEVATIONS.
- UNACCEPTABLE MATERIALS: CLEAN SOIL OF CONCRETE SLURRY, CONCRETE LAYERS OR CHUNKS, CEMENT, PLASTER, BUILDING DEBRIS, OILS, GASOLINE, DIESEL FUEL, PAINT THINNER, TURPENTINE, TAR, ROOFING COMPOUND, ACID, AND OTHER EXTRANEIOUS MATERIALS THAT ARE HARMFUL TO PLANT GROWTH.
- DO NOT APPLY MATERIALS OR TILL IF EXISTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
- IF PLANTING SOIL OR SUBGRADE IS OVERCOMPACTED, DISTURBED, OR CONTAMINATED BY FOREIGN OR DELETERIOUS MATERIALS OR LIQUIDS, REMOVE THE PLANTING SOIL AND CONTAMINATION; RESTORE THE SUBGRADE AS DIRECTED BY LANDSCAPE ARCHITECT AND REPLACE CONTAMINATED PLANTING SOIL WITH NEW PLANTING SOIL.
- ALL SPOT ELEVATIONS ARE FINISH GRADE UNLESS OTHERWISE NOTED.
- ALL SWALES TO SLOPE AT A MINIMUM OF 2% LONGITUDINAL SLOPE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR STAKING BOTH LINE AND GRADE. ANY DISCREPANCIES, ERRORS OR OMISSIONS ON THE CONSTRUCTION DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL STAKE ALL KEY AREAS AND SHALL RECEIVE APPROVAL FROM THE OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH CONSTRUCTION.
- SPOT ELEVATIONS SHALL TAKE PRECEDENCE OVER CONTOURS. CONTRACTOR SHALL PROVIDE A SMOOTH FINISH GRADE THROUGHOUT THE ENTIRE PROJECT FREE OF RUTS, DEPRESSIONS AND IRREGULARITIES. POSITIVE DRAINAGE SHALL BE MAINTAINED AT ALL TIMES. ALL SWALES, DEPRESSIONS, ETC. NOT SHOWN ON THE PLANS SHALL BE BROUGHT TO THE ATTENTION OF LANDSCAPE ARCHITECT IMMEDIATELY IN WRITING.

SITE LEGEND

SYMBOL	ITEM
5766	EXISTING CONTOURS
5765	PROPOSED CONTOURS
←	SWALE
▭	DRIVE
▭	GRAVEL DRIVE
▭	PROPERTY BOUNDARY
▭	WETLANDS
▭	EXISTING POND
▭	RIPARIAN WETLAND IMPACT ±2,300 SQ. FT.
▭	RIPARIAN WETLAND RESTORATION ±11,000 SQ. FT.
▭	RIPARIAN WETLAND MITIGATION ±29,000 SQ. FT.



DATE	ISSUE
2022.11.30	PD SET
2023.01.27	PD SET
2023.02.14	REV. GRADING
2023.02.22	REV. GRADING
2023.03.16	REV.

SHEET TITLE

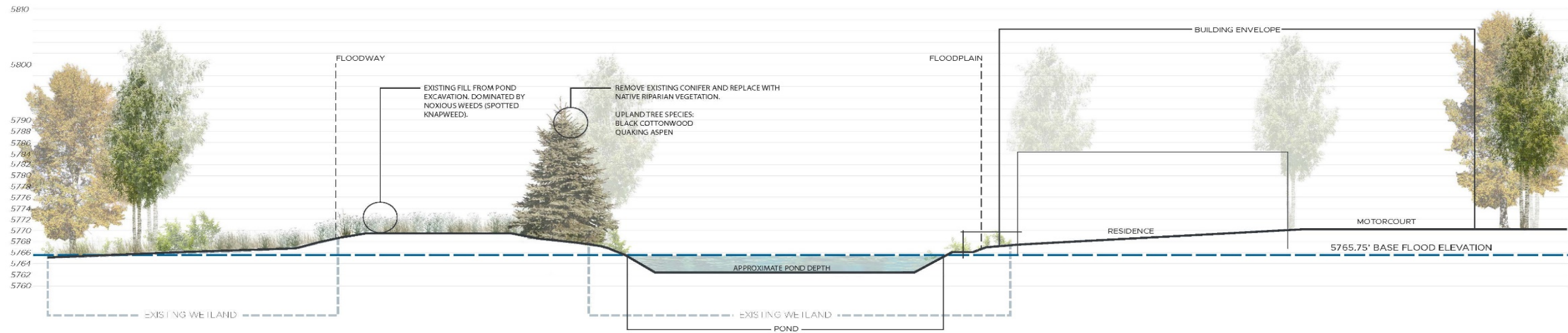
SITE WETLAND IMPACT

SHEET 2 OF 3
L-2.01

450 WOOD RIVER DRIVE
 KETCHUM, ID

450 - 490 WOOD RIVER, LLC
 450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT
 JOINT APPLICATION for PERMITS - WETLAND CROSS SECTION

EXISTING CONDITIONS

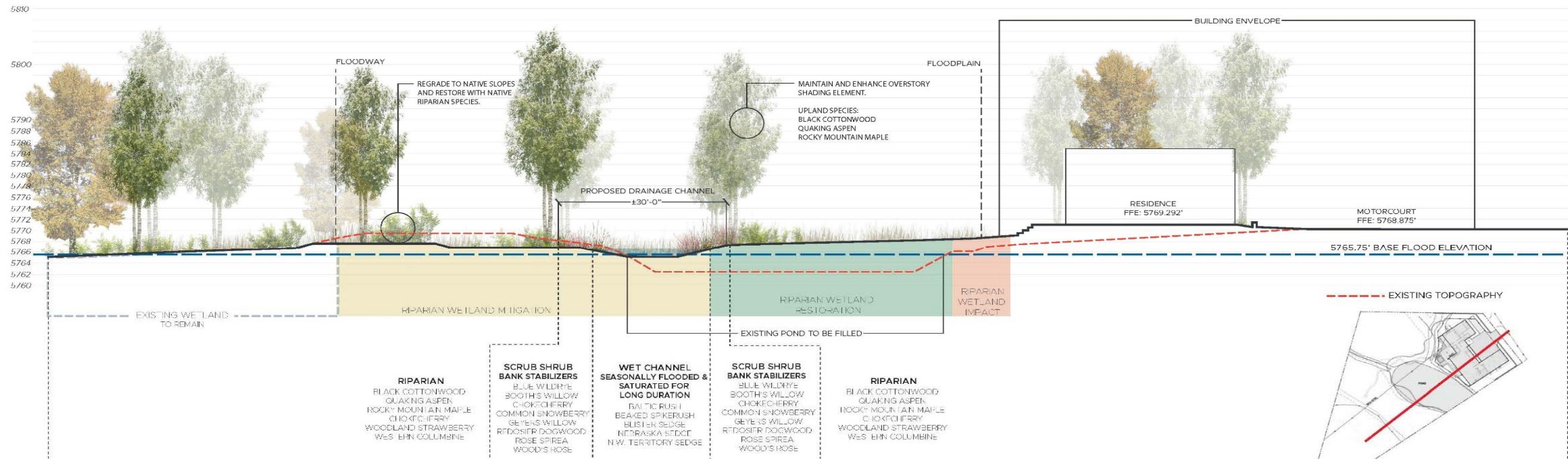


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PROJECT NUMBER: 2219

PROPOSED CONDITIONS



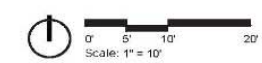
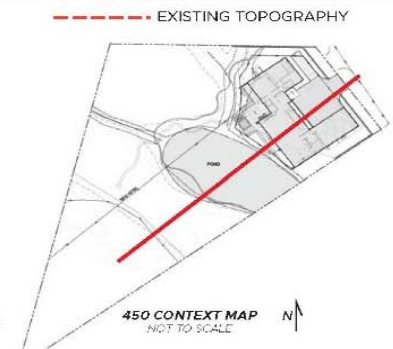
450 WOOD RIVER DRIVE
 KETCHUM, ID

DATE	ISSUE
2022.11.30	PD SET
2023.01.27	PD SET
2023.02.14	REV. GRADING
2023.03.09	REV.
2023.03.16	REV.

SHEET TITLE

CROSS SECTION

SHEET 3 OF 3
L-2.03



WETLAND CROSS SECTION

450 - 490 Wood River Drive, LLC - Joint Application for Permits, March 14, 2023.

450 - 490 WOOD RIVER, LLC
 450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1,
 Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

450 - 490 WOOD RIVER, LLC
450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT
JOINT APPLICATION for PERMITS - PHOTO EXHIBIT



PHOTO 1 - 450 WOOD RIVER DRIVE. Existing unauthorized pond [WOTUS] and associated site characteristics. Looking east towards existing residential infrastructure and proposed building site (Latham - Brockway Eng. August 2022).

450 - 490 WOOD RIVER , LLC
450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1
Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

PHOTO EXHIBIT

450 - 490 Wood River Drive, LLC - Joint Application for Permits, March 14, 2023.

450 - 490 WOOD RIVER, LLC
450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT
JOINT APPLICATION for PERMITS - PHOTO EXHIBIT



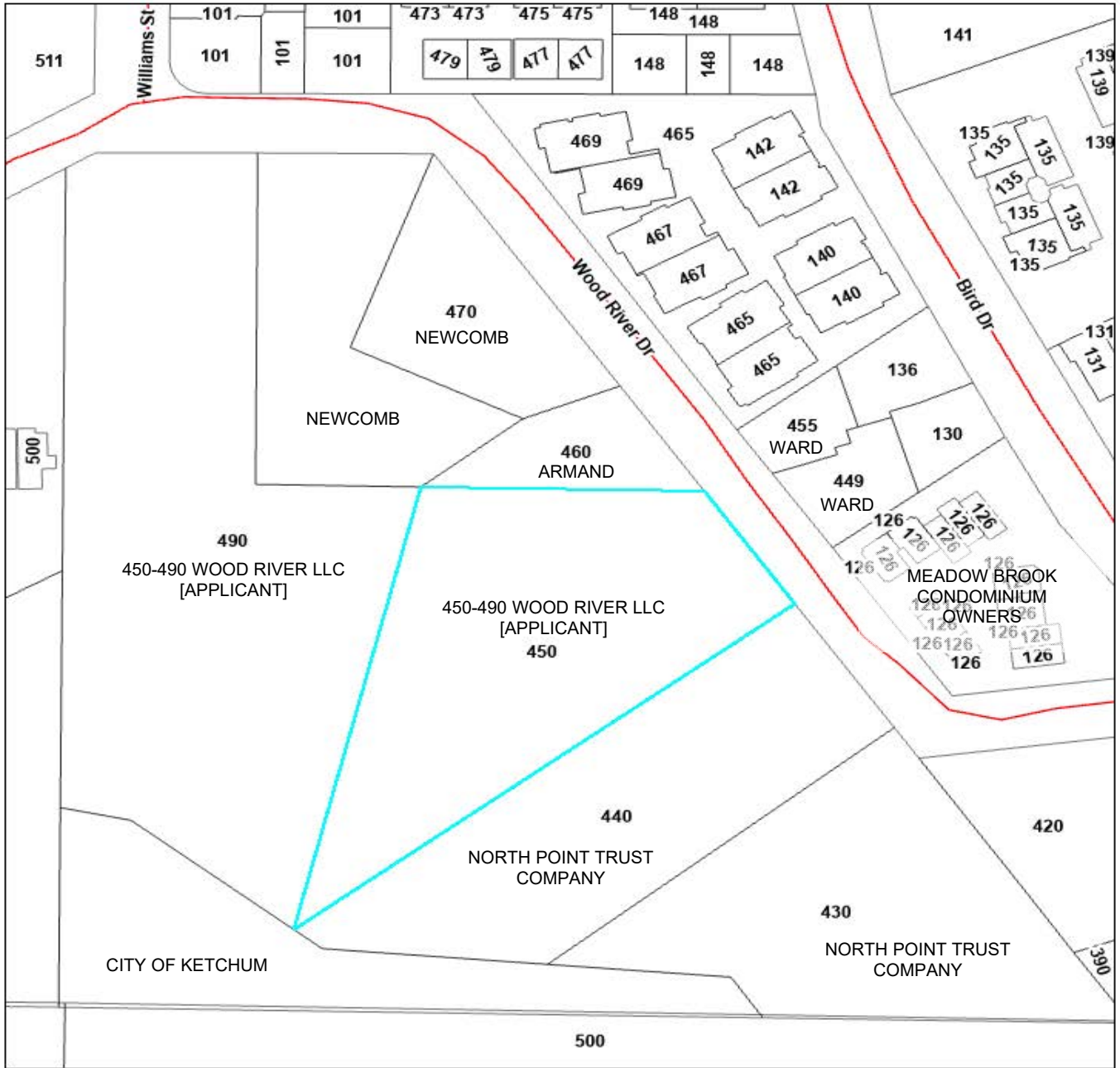
PHOTO 2 - 450 WOOD RIVER DRIVE. Existing unauthorized pond [WOTUS] and associated site characteristics. Looking north from existing pond outlet (Latham - Brockway Eng. August 2022).

450 - 490 WOOD RIVER , LLC
450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1
Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

PHOTO EXHIBIT

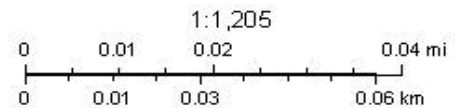
450 - 490 Wood River Drive, LLC - Joint Application for Permits, March 14, 2023.

450 - 490 WOOD RIVER, LLC
 450 WOOD RIVER DRIVE, MARY'S PLACE SUBDIVISION LOT 3, BLOCK 1 - RESIDENTIAL DEVELOPMENT
 JOINT APPLICATION for PERMITS - ADJACENT LANDOWNER MAP



3/14/2023, 4:21:30 PM

- Parcels
- Roads



450 - 490 WOOD RIVER , LLC
 450 Wood River Drive, Mary's Place Subdivision, Lot 3, Block 1
 Section 13, TWN., 4N. RNG., 17E, City of Ketchum, Blaine County, ID

ADJACENT LANDOWNER MAP

NATIONWIDE PERMIT 29

Residential Developments:

Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

Subdivisions: For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

WATER QUALITY CERTIFICATION, NWP 29:

Agency responsible for administration of water quality, based on project location is listed below. If **DENIED**, then an Individual Water Quality Certification or Waiver of Certification is required, prior to the commencement of any work activities and/or issuance of a DA verification, authorization and/or permit.

State of Idaho: PARTIALLY DENIED;

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in a loss in excess of ½ acre of jurisdictional wetlands

Coeur d'Alene Tribal Lands: DENIED

Shoshone-Bannock Tribal Lands: DENIED

U.S. Environmental Protection Agency for all other Tribal Lands: DENIED

**2021 Nationwide Permits
Regional Conditions
Walla Walla District Regulatory Division (State of Idaho)**

March 15, 2021

The following Nationwide Permit (NWP) regional conditions are required in the state of Idaho and apply to all 2021 NWPs¹. Regional conditions are established by individual Corps Districts to ensure projects result in no more than minimal adverse impacts to the aquatic environment and to address local resources concerns. This document also includes regional additions to the NWP General Conditions, notification procedures pertaining to certain NWP's, and regional additions to the definitions.

REGIONAL CONDITIONS

A. Watersheds Requiring Pre-Construction Notification, Specific to Anadromous Fish

This Regional Condition applies to all 2021 NWPs.

- Pre-construction notification (PCN) will be required for the above listed nationwide permits in the geographic area as shown on Figure 1: *Watersheds Requiring Pre-Construction Notification*, dated January 6, 2021.

B. Vegetation Preservation and Replanting

- To avoid impacts to aquatic habitat and to reduce sedimentation and erosion, permittee shall avoid and minimize the removal of vegetation in waters of the U.S. to the maximum extent practicable. Areas subject to temporary vegetation removal in waters of the U.S. during construction shall be replanted with appropriate native² species by the end of the first growing season, unless conditioned otherwise. Permittee shall avoid introducing or spreading noxious or invasive plants³.
- Replanted vegetation that does not survive the first growing season shall be replanted before the end of the next growing season. Re-plantings shall continue to occur until desired vegetation densities are achieved. Re-vegetation densities should be based on reference conditions.

¹ For the list of 2017 Nationwide Permits please see: <https://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Nationwide-Permits/>

² Idaho Department of Transportation, Native Plants for Idaho Roadside Restoration and Revegetation Programs: https://itd.idaho.gov/wp-content/uploads/2016/06/RP171Roadside_Revegetation.pdf

³ U.S. Department of Agriculture, Natural Resource Conservation Service Plant Database of introduced, invasive, and noxious plants for Idaho: <https://plants.usda.gov/java/noxious?rptType=State&statefips=16>.

C. De-watering & Re-watering (as applicable)

- Cofferdams shall be constructed of non-erosive material such as concrete jersey barriers, bulk bags, water bladders, sheet pile, and other similar non-erosive devices. Cofferdams may not be constructed by using mechanized equipment to push streambed material through flowing water.
- Diversion channels constructed to bypass flow around the construction site shall be lined with plastic, large rock, pipe or otherwise protected from erosion prior to releasing flows into or through the diversion channel.
- Water removed from within the coffered area shall be pumped to a sediment basin or otherwise treated to remove suspended sediments prior to its return to the waterway.
- To prevent unwanted passage of state or federally-protected fish, if present, from the coffered area, Water pipe intakes shall be screened with openings measuring < 3/32 inch to prevent entrainment of fish trapped in the coffered area.
- Should fish be present within the coffered areas contact your local Idaho Department of Fish and Game (IDFG) office prior to performing fish removal or salvage. Fish shall be collected by electrofishing, seining or dip net, or otherwise removed and returned to the waterway upstream of the project area. If electrofishing is used, the National Marine Fisheries Service (NMFS) guidelines for electrofishing should be followed⁴, unless conditioned otherwise.
- Stream channels that have been dewatered during project construction shall be re-watered slowly to avoid lateral and vertical erosion of the de-watered channel, prevent damage to recently reclaimed work areas and/or damage to permitted work.
- Temporary stockpiles in waters of the United States shall be removed in their entirety so as not to form a berm or levee parallel to the stream that could confine flows or restrict overbank flow to the floodplain.

D. In-Water Structures and Complexes

- PCN notification in accordance with General Condition 32 is required for all non-federal applicants with activities involving gabion baskets placed below the ordinary high water mark.
- Stream meanders, riffle and pool complexes, pool stream structures, rock/log barbs, rock J-hooks, drop structures, sills, engineered log jams or similar structures/features when used shall be site specifically designed by an appropriate professional with experience in hydrology or fluvial geomorphology.

⁴ Guidelines for Electrofishing Waters Containing Salmonids Listed Under the Endangered Species Act (June 2000)
https://archive.fisheries.noaa.gov/wcr/publications/reference_documents/esa_refs/section4d/electro2000.pdf

E. Temporary Sidecasting

- Materials from exploratory trenching and installation of utility lines may be temporarily side cast into a de-watered coffered area for up to 30 days but not within flowing waters. Material from exploratory trenching and installation of utility lines in wetlands may be temporarily side cast for up to 30 days.

F. Suitability of Sediments for Open Water Disposal and us as Fill

- Sampling for determination of suitability of sediments for open water disposal or for use as fill, must comply with the Sediment Evaluation Framework for the Pacific Northwest (SEF)⁵.

G. Avoidance and Minimization

- In addition to information required under General Condition 32(b), the applicant shall include information about previous discharges of fill material into waters of the United States within the project area. This is only for non-federal applicants where a PCN is required.
- Discharges of dredged or fill material into waters of the U.S., including wetlands, to meet set back requirements are not authorized under NWP.

H. Erosion Control

- Erosion control blanket or fabric used in or adjacent to waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless conditioned otherwise. If the applicant proposes to use materials other than as indicated above they must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety.

I. Reporting Requirement for Federal Permittees

- Federal Agencies with projects that require compensatory mitigation for loss of waters of the U.S. and who propose to purchase credits from an approved wetland and/or stream mitigation bank must provide proof of purchase within 30 days of when the credits were purchased. Purchase of credits from an approved mitigation bank must be IAW the Mitigation Banking Instrument of Record.

⁵ Northwest Regional Sediment Evaluation Team (RSET) 2016. Sediment Evaluation Framework for the Pacific Northwest. Prepared by the RSET Agencies, July 2016, 160 pp plus appendices. <http://nwd.usace.army.mil/Missions/Civil-Works/Navigation/RSET/SEF>

REGIONAL ADDITIONS TO THE GENERAL CONDITIONS

General Condition 4. Migratory Bird Breeding Areas. Regional Addition: For additional information please contact the US Fish and Wildlife Service at the following field office locations: State Office (Boise) at (208) 387-5243; Northern Idaho Field Office (Spokane) at (509) 891-6839; or the Eastern Idaho Field Office (Chubbuck) at (208) 237-6975.
<https://www.fws.gov/idaho/promo.cfm?id=177175802>

General Condition 6. Suitable Material. Regional Addition: Erosion control blanket or fabric used in or adjacent to waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless conditioned otherwise. If the applicant proposes to use materials other than as indicated above they must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety.

General Condition 9. Management of Water Flows. Regional Addition: To obtain information on State of Idaho definition of high water refer to Idaho Department of Water Resources (IDAPA 37.03.07. Rule 62.03.04.a). For culverts or bridges located in a community qualifying for the national flood insurance program, the minimum size culvert shall accommodate the 100-year flood design flow frequency (IDAPA 37.03.07. Rule 62.03.04.c).

General Condition 12. Soil Erosion and Sediment Controls. Regional Addition: For additional information refer to the Idaho Department of Environmental Quality Catalog of Stormwater Best Management Practices for Idaho Cities and Counties, available online at: <https://www.deq.idaho.gov/public-information/laws-guidance-and-orders/guidance/>.

General Condition 18. Endangered Species. Regional Addition: For additional information on ESA listed species in north Idaho please contact the US Fish and Wildlife Service (USFWS) Northern Idaho Field Office (Spokane) at (509) 893-8009, for all other counties in Idaho contact the USFWS State Office (Boise) at (208) 378-5388.

General Condition 20. Historic Properties. Regional Addition: Property is generally considered "historic" if it is at least 50 years old, and is not limited to buildings. For additional information on the potential for cultural resources in proximity to the project site, contact the Idaho State Historic Preservation Office at (208) 334-3847 located in Boise, Idaho.

NOTIFICATION PROCEDURES BY THE CORPS FOR CERTAIN NATIONWIDE PERMITS

Waivers: For nationwide permits with a waiver provision, District coordination with Idaho Department of Environmental Quality (IDEQ) and Environmental Protection Agency (tribal lands) will be conducted prior to the District Engineer making a waiver determination to ensure the proposed activity is in compliance with Section 401 Water Quality Standards.

Select Waters and Wetlands: The Corps will coordinate with the Idaho Department of Fish and Game (IDFG) for activities in the following waters and wetlands that require notification and are authorized by NWP:

- Waters: Anadromous waters as shown on Figure 1: *Watersheds Requiring Pre-Construction Notification*, dated January 6, 2021; Henry's Fork of the Snake River and its tributaries; South Fork Snake River and its tributaries; Big Lost River and its tributaries upstream of the US 93 crossing; Beaver, Camas, and Medicine Lodge Creeks; Snake River; Blackfoot River above Blackfoot Reservoir; Portneuf River; Bear River; Boise River including South Fork, North Fork and Middle Fork; Payette River including South Fork, North Fork and Middle Fork; Coeur d'Alene River, including the North Fork; St. Joe River; Priest River; Kootenai River; Big Wood River; and Silver Creek and its tributaries.
- Wetlands identified in Idaho Department of Fish and Game, Wetland Conservation Strategy as Class I, Class II and Reference Habitat Sites⁶.
- Wetlands identified in the Idaho Wetland Conservation Prioritization Plan-2012⁷.

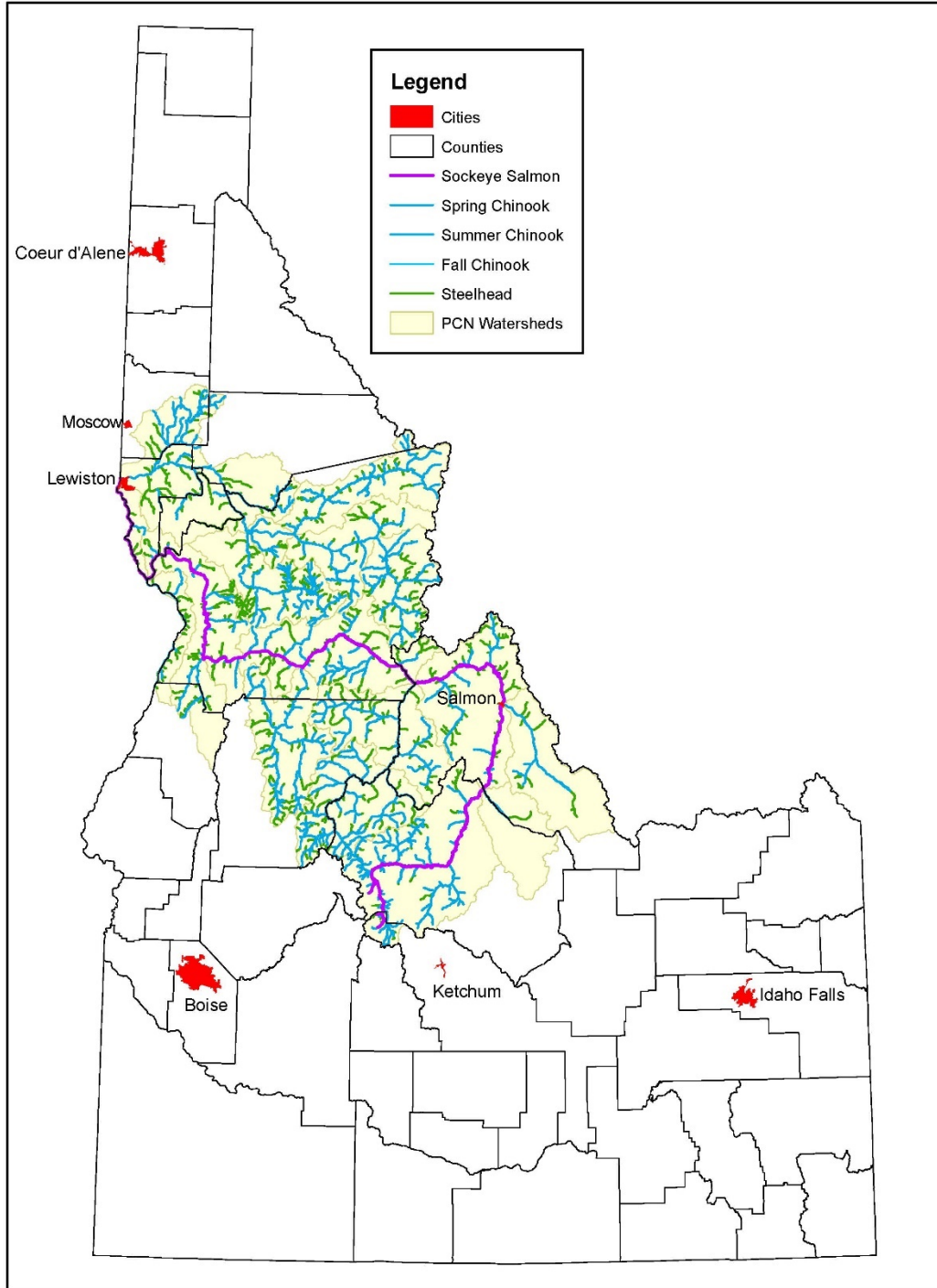
⁶ Idaho Department of Fish and Game (IDFG) Wetland Conservation Strategies have been developed for the Henrys Fork Basin, Northern Idaho, Big Wood River, Southeast Idaho, East-Central Idaho and Spokane River Basin, Middle and Western Snake River and tributaries, and the Upper Snake River-Portneuf Drainage, Weiser River Basin, and West Central Mountain Valleys and adjacent wetlands. Closed basins of Beaver-Camas Creeks, Medicine Lodge Creek, Palouse River and lower Clearwater River sub-basins, Middle Fork and South Fork Clearwater Basins and Camas Prairie in northern Idaho. Refer to the internet site at: <http://fishandgame.idaho.gov/content/page/wetlands-publications-idaho-natural-heritage-program#reports>

⁷ Murphy, C., J. Miller and A. Schmidt. 2012. <https://idfg.idaho.gov/species/bibliography/project/wetlands>

Figure 1



Watersheds Requiring Pre-Construction Notification



2021 Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation

(a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements

No activity may substantially disrupt the necessary life

cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas

Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas

Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds

No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material

No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes

No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments

If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows

To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains

The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment

Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls

Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Structures and Fills

Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance

Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district

engineer to an NWP authorization.

15. Single and Complete Project

The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers

(a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency

with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

17. Tribal Rights

No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species

(a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a

species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding "activities that are reasonably certain to occur" and "consequences caused by the proposed action."

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate

documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be

affected by the proposed activity. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have “no effect” on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific

permit conditions to the NWP.

(e) Authorization of an activity by an NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should

provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at

<http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.nmfs.noaa.gov/pr/species/esa/> respectively.

19. Migratory Birds and Bald and Golden Eagles

The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties

(a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own

procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the

potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)).

Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106

consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects

properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts

Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters

Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment,

additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWP 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation

The district engineer will consider the following

factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-

construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of

streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a

riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)).

However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14)

must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of

components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no

mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures

To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have

been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality

(a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a

water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management.

In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence

in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions

The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits

The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated

bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications

If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached

to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

30. Compliance Certification

Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of

ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory

mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States

If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification

(a) *Timing.* Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined

to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that

listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-*

Construction Notification:

The PCN must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed activity;
- (3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;
- (4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of

the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually

clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining

why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on,

determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river” (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request

for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification:* The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) *Agency Coordination:* (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity’s compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity’s adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii)

NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's

compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery

Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 N Hilton Street, Boise, ID 83706
(208) 373-0502

Brad Little, Governor
Jess Byrne, Director

December 4, 2020

Kelly J. Urbanek, Chief
U.S. ACOE Regulatory Division
Walla Walla District
720 East Park Boulevard, Suite 245
Boise, Idaho 83712-7757

Subject: Final §401 Water Quality Certification for 2020 Nationwide Permits in Idaho

Dear Ms. Urbanek:

Enclosed please find the Idaho Department of Environmental Quality (DEQ) final water quality certification for the 2020 Nationwide Permits in Idaho. DEQ offered a 21-day public comment period, beginning on November 2, 2020, and ending on November 23, 2020.

DEQ received a single comment letter. After review of the comments received, minor modifications were made to the final certification in order to provide additional clarity.

If you have any questions or concerns regarding this certification, please contact Jason Pappani at (208) 373-0515 or via email at jason.pappani@deq.idaho.gov.

Sincerely,

A handwritten signature in blue ink that reads "Mary Anne Nelson".

Mary Anne Nelson, PhD
Surface and Wastewater Division Administrator

MAN:JP:lf

cc: Jason Pappani, DEQ State Office
DEQ Regional Administrators
James Joyner, ACOE Walla Walla District
Brent King, Idaho Attorney General's Office



Idaho Department of Environmental Quality Final §401 Water Quality Certification

December 4, 2020

2020 U.S. Army Corps of Engineers §404 Nationwide Permits (NWP)

Pursuant to the provisions of Section 401(a)(1) of the Federal Water Pollution Control Act (Clean Water Act), as amended; 33 U.S.C. Section 1341(a)(1); and Idaho Code §§ 39-101 et seq. and 39-3601 et seq., the Idaho Department of Environmental Quality (DEQ) has authority to review activities receiving Section 404 dredge and fill permits and issue water quality certification decisions.

Based upon its review of the proposed 2020 Nationwide Permits published in the Federal Register on September 15, 2020, DEQ certifies that if the permittee complies with the terms and conditions imposed by the permits, including the Regional Conditions set forth by the Army Corps of Engineers (ACOE), along with the conditions set forth in this water quality certification, then activities will comply with the applicable water quality requirements of Sections 301, 302, 303, 306, and 307 of the Clean Water Act, the Idaho Water Quality Standards (WQS) (IDAPA 58.01.02), and other appropriate water quality requirements of state law.

This certification does not constitute authorization of the permitted activities by any other state or federal agency or private person or entity. This certification does not excuse the permit holder from the obligation to obtain any other necessary approvals, authorizations, or permits, including without limitation, the approval from the owner of a private water conveyance system, if one is required, to use the system in connection with the permitted activities.

1 Antidegradation Review

The WQS contain an antidegradation policy providing three levels of protection to water bodies in Idaho (IDAPA 58.01.02.051).

- **Tier I Protection.** The first level of protection applies to all water bodies subject to Clean Water Act jurisdiction and ensures that existing uses of a water body and the level of water quality necessary to protect those existing uses will be maintained and protected (IDAPA 58.01.02.051.01; 58.01.02.052.01). Additionally, a Tier I review is performed for all new or reissued permits or licenses (IDAPA 58.01.02.052.07).
- **Tier II Protection.** The second level of protection applies to those water bodies considered high quality and ensures that no lowering of water quality will be allowed unless deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

- Tier III Protection. The third level of protection applies to water bodies that have been designated outstanding resource waters and requires that activities not cause a lowering of water quality (IDAPA 58.01.02.051.03; 58.01.02.052.09).

DEQ is employing a water body by water body approach to implementing Idaho's antidegradation policy. This approach means that any water body fully supporting its beneficial uses will be considered high quality (IDAPA 58.01.02.052.05.a). Any water body not fully supporting its beneficial uses will be provided Tier I protection for that use, unless specific circumstances warranting Tier II protection are met (IDAPA 58.01.02.052.05.c). The most recent federally approved Integrated Report and supporting data are used to determine support status and the tier of protection (IDAPA 58.01.02.052.05).

1.1 Pollutants of Concern

The primary pollutant of concern, for projects permitted under the 2020 NWP's administered by the ACOE, is sediment. In locations where heavy metals are present due to mining activities, or where high concentrations of nutrients may be associated with sediments, additional considerations may be necessary. If the project reduces riparian vegetation, then temperature (thermal loading) may also be of concern.

The procedures outlined in the Sediment Evaluation Framework for the Pacific Northwest¹ may be applied to assess and characterize sediment to determine the suitability of dredged material for unconfined aquatic placement, to determine the suitability of post dredge surfaces, and to predict effects on water quality during dredging (See Section 2.4 for more details).

As part of the Section 401 water quality certification, DEQ is requiring the applicant to comply with various conditions to protect water quality and to meet Idaho WQS, including the criteria applicable to sediment.

1.2 Receiving Water Body Level of Protection

The ACOE NWP's authorize construction activities in waters of the United States. In Idaho, jurisdictional waters of the state can potentially receive discharges either directly or indirectly from activities authorized under the NWP's. DEQ applies a water body by water body approach to determine the level of antidegradation protection a water body will receive. (IDAPA 58.01.02.052.05).

All waters in Idaho that receive discharges from activities authorized under a NWP will receive, at minimum, Tier I antidegradation protection because Idaho's Tier I antidegradation policy applies to all state waters (IDAPA 58.01.02.052.01). Water bodies that fully support their aquatic life or recreational uses are considered *high quality waters* and will receive Tier II antidegradation protection (IDAPA 58.01.02.051.02). Because of the statewide applicability, the antidegradation review will assess whether the NWP permit complies with both Tier I and Tier II antidegradation provisions (IDAPA 58.01.02.052.03).

Although Idaho does not currently have any Tier III designated outstanding resource waters (ORWs), it is possible for a water body to be designated as an ORW during the life of the NWP's.

¹ Northwest Regional Sediment Evaluation Team (RSET). 2018. Sediment Evaluation Framework for the Pacific Northwest. Prepared by the RSET Agencies, May 2018, 183 pp plus appendices.

Because of this potential, the antidegradation review also assesses whether the permit complies with the outstanding resource water requirements of Idaho’s antidegradation policy (IDAPA 58.01.02.051.03).

To determine the support status of the receiving water body, the most recent EPA-approved Integrated Report, available on Idaho DEQ’s website, is to be used:

<http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/>. (IDAPA 58.01.02.052.05).

High quality waters are identified in Categories 1 and 2 of the Integrated Report. If a water body is in either Category 1 or 2, it is a Tier II water body.

Unassessed waters are identified in Category 3 of DEQ’s Integrated Report. These waters require a case by case determination to be made by DEQ based on available information at the time of the application for permit coverage (IDAPA 58.01.02.052.05.b). For activities occurring on unassessed waters under this certification, DEQ has determined that complying with the conditions of the NWP, the regional conditions, and this certification will ensure the provisions of IDAPA 58.01.02.052 are met.

Impaired waters are identified in Categories 4 and 5 of the Integrated Report. Category 4(a) contains impaired waters for which a TMDL has been approved by EPA. Category 4(b) contains impaired waters for which controls other than a TMDL have been approved by EPA. Category 5 contains waters which have been identified as “impaired”, for which a TMDL is needed. These waters are Tier I waters, for the use which is impaired. With the exception, if the aquatic life uses are impaired for any of these three pollutants—dissolved oxygen, pH, or temperature—and the biological or aquatic habitat parameters show a healthy, balanced biological community, then the water body shall receive Tier II protection, in addition to Tier I protection, for aquatic life uses (IDAPA 58.01.02.052.05.c.i).

DEQ’s webpage also has a link to the state’s map-based Integrated Report which presents information from the Integrated Report in a searchable, map-based format:

<http://www.deq.idaho.gov/assistance-resources/maps-data/>.

Water bodies can be in multiple categories for different causes. If assistance is needed in using these tools, or if additional information/clarification regarding the support status of the receiving water body is desired, please feel free to contact your nearest DEQ regional office or the State Office (Table 1).

Table 1. Idaho DEQ Regional and State Office Contacts

<i>Regional Office</i>	<i>Address</i>	<i>Phone Number</i>	<i>Email</i>
Boise	1445 N. Orchard Rd., Boise 83706	208-373-0550	kati.carberry@deq.idaho.gov
Coeur d'Alene	2110 Ironwood Parkway, Coeur d'Alene 83814	208-769-1422	chantilly.higbee@deq.idaho.gov
Idaho Falls	900 N. Skyline, Suite B., Idaho Falls 83402	208-528-2650	troy.saffle@deq.idaho.gov
Lewiston	1118 "F" St., Lewiston 83501	208-799-4370	sujata.connell@deq.idaho.gov
Pocatello	444 Hospital Way, #300 Pocatello 83201	208-236-6160	matthew.schenk@deq.idaho.gov
Twin Falls	650 Addison Ave. W., Suite 110, Twin Falls 83301	208-736-2190	balthasar.buhidar@deq.idaho.gov
State Office	1410 N. Hilton Rd., Boise 83706	208-373-0502	jason.pappani@deq.idaho.gov

1.3 Protection and Maintenance of Existing Uses (Tier I Protection)

A Tier I review is performed for all new or reissued permits or licenses, applies to all waters subject to the jurisdiction of the Clean Water Act, and requires demonstration that existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected (IDAPA 58.01.02.051.01; 052.01 and 04). The numeric and narrative criteria in the WQS are set at levels that ensure protection of existing and designated beneficial uses.

Water bodies not supporting existing or designated beneficial uses must be identified as water quality limited, and a total maximum daily load (TMDL) must be prepared for those pollutants causing impairment (IDAPA 58.01.02.055.02). Once a TMDL is completed, discharges of causative pollutants shall be consistent with the allocations in the TMDL (IDAPA 58.01.02.055.05). Prior to the completion of a TMDL, the WQS require the application of the antidegradation policy and implementation provisions to maintain and protect beneficial uses (IDAPA 58.01.02.055.04).

The general (non-numeric) effluent limitations in the NWP's and associated Regional Conditions for the ACOE Walla Walla District address best management practices (BMP's) aimed at minimizing impacts to the aquatic environment, especially sediment and turbidity impacts including: vegetation protection and restoration, de-watering requirements, erosion and sediment controls, soil stabilization requirements, pollution prevention measures, prohibited discharges, and wildlife considerations. Although the NWP's do not contain specific (numeric) effluent limitations for sediment or turbidity, the conditions identified in the permits and in this water quality certification will ensure compliance with DEQ's water quality standards, including the narrative sediment criteria (IDAPA 58.01.02.200.08) and DEQ's turbidity criteria (IDAPA 58.01.02.250.02.e).

In order to ensure compliance with Idaho WQS, DEQ has included a condition requiring the permittee(s) to comply with Idaho's numeric turbidity criteria, developed to protect aquatic life

uses. The criterion states, “Turbidity shall not exceed background turbidity by more than 50 nephelometric turbidity units (NTU)² instantaneously or more than 25 NTU for more than 10 consecutive days” (IDAPA 58.01.02.250.02.e). DEQ is requiring turbidity monitoring when project activities result in a discharge to waters of the United States that causes a visible sediment plume (IDAPA 58.01.02.054.01) (See Section 2.5 for more details).

If an approved TMDL exists for a receiving water body that requires a load reduction for a pollutant of concern, then the project must be consistent with the provisions of that TMDL (IDAPA 58.01.02.055.05).

For authorized activities requiring a pre-construction notification (PCN), the Corps will have the opportunity to evaluate the NWP activities on a case by case basis to ensure that the activity will not cause more than a minimal adverse environmental effect, individually and cumulatively. The Corps has agreed to forward the verification letters to the appropriate DEQ regional office (Table 1) for all authorized activities including the NWP activities that require a PCN. This will better inform DEQ of the authorized activities that are occurring throughout the state and determine if additional conditions will need to be implemented when the ACOE reissues the NWPs.

1.3.1 DEQ’s Determination

DEQ concludes that, given the nature of the activities authorized by the 2020 NWPs, such activities will comply with Idaho’s Tier I requirements under IDAPA 58.01.02.051.01 and 58.01.02.052.07, provided the permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWPs, Regional Conditions, and conditions set forth in this water quality certification.

1.4 Protection of High-Quality Waters (Tier II Protection)

Water bodies that fully support their beneficial uses are recognized as high-quality waters and will be provided Tier II protection in addition to Tier I protection (IDAPA 58.01.02.051.02; 58.01.02.052.05.a). Water quality parameters applicable to existing or designated beneficial uses must be maintained and protected under Tier II, unless a lowering of water quality is deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

The ACOE does not authorize projects with more than minimal individual and cumulative impacts on the aquatic environment under a NWP (33 U.S.C.A. § 1344(e)). As required by the National Environmental Policy Act (NEPA) the Corps has analyzed the individual and cumulative effects for the NWP activities. DEQ recognizes that short term changes in water quality may occur with respect to sediment as a result of the authorized activities, but has determined that adherence to the terms and conditions imposed by the permits, including the Regional Conditions set forth by the Army Corps of Engineers (ACOE or Corps), along with the conditions set forth in this water quality certification will ensure that there are no long-term adverse changes to water quality or beneficial use support as a result of any activity authorized under this certification (IDAPA 58.01.02.052.03). As a general principle, DEQ believes degradation of water quality should be viewed in terms of permanent or long-term adverse

²NTU is a unit of measure of the concentration of suspended particles in the water (turbidity). It is determined by shining a light through a sample and measuring the incident light scattered at right angles from the sample.

changes. Short-term or temporary reductions in water quality, if reasonable measures are taken to minimize them (such as the certification conditions in Section 2), may occur without triggering a Tier II analysis (IDAPA 58.01.02.052.03; 080.02).

To ensure proposed regulated activities will not cause more than minimal individual and cumulative impacts on the aquatic environment, certain NWP's require project proponents to notify district engineers (in the form of a PCN) of their proposed activities prior to conducting regulated activities. This level of review gives the district engineer the opportunity to evaluate activities on a case by case basis to determine whether additional conditions or mitigation requirements are warranted to ensure that the proposed activity results in no more than the minimal individual and cumulative impacts on the aquatic environment.

DEQ has denied certification for NWP 16, NWP 23, and NWP 53 (see Section 3.1); and for certain activities associated with NWP 3, NWP 12, NWP 13, NWP 14, NWP 21, NWP 29, NWP 39, NWP 40, NWP 42, NWP 43, NWP 44, NWP 50, NWP 51, NWP 52, NWP C, NWP D, and NWP E (see Section 3.2). Projects seeking coverage under these NWP's will need to request individual certification from DEQ. DEQ will consider any additional conditions or denial of certification if necessary to ensure no lowering of water quality occurs for any of these projects proposed on Tier II water.

Additionally, if an authorized project causes a visible sediment plume then turbidity monitoring is required (see Section 2.5 for more details).

1.4.1 DEQ's Determination

DEQ concludes that the activities authorized by the 2020 NWP's and this certification will comply with Idaho's Tier II requirements under IDAPA 58.01.02.051.02 and 58.01.02.052.08 providing permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWP's, Regional Conditions, and conditions of this water quality certification.

1.5 Protection of Outstanding Resource Waters (Tier III Protection)

Idaho's antidegradation policy requires that the quality of outstanding resource waters (ORWs) be maintained and protected from the impacts of point and nonpoint source activities (IDAPA 58.01.02.051.03). No water bodies in Idaho have been designated as ORWs to date. Because it is possible waters may become designated during the term of the 2020 NWP's, DEQ has evaluated whether the NWP's comply with the ORW antidegradation provision.

DEQ has denied certification for any activities on any Outstanding Resource Water (ORW) (see Section 3) and is requiring that any activities proposed on an ORW apply for individual certification (see Section 2.3).

1.5.1 DEQ's Determination

DEQ concludes that the activities authorized by the 2020 NWP's and this certification will comply with Idaho's Tier III requirements under IDAPA 58.01.02.051.03 providing permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWP's, Regional Conditions, and conditions of this water quality certification.

2 Conditions Necessary to Ensure Compliance with Water Quality Standards or Other Appropriate Water Quality Requirements of State Law

For all activities covered under this certification, the following conditions are necessary to ensure that permitted projects comply with water quality requirements.

2.1 *Design, Implementation, and Maintenance of Appropriate Best Management Practices*

Best Management Practices (BMPs) must be designed, implemented, and maintained by the permittee to fully protect and maintain the beneficial uses and ambient water quality of waters of the state and to prevent exceedances of WQS (IDAPA 58.01.02.350.01.a).

BMPs must be selected and properly installed. Proper installation and operation of BMPs are required to ensure the provisions of IDAPA 58.01.02.052 are met. In order to ensure that BMPs are operating properly and to demonstrate that degradation has not occurred, the permittee must monitor and evaluate BMP effectiveness daily during project activities to assure that water quality standards are being met.

Approved BMPs for specific activities (mining, forestry, stream channel alteration, etc.) are codified in IDAPA 58.01.02.350. Additionally, DEQ provides a catalog of storm water best management practices, available at: <http://www.deq.idaho.gov/media/60184297/stormwater-bmp-catalog.pdf>. This catalog presents a variety of BMPs that can be used to control erosion and sediment during and after construction. Other sources of information are also available and may be used for selecting project appropriate BMPs.

This condition is necessary meet the following water quality requirements:

Control of erosion, sediment, and turbidity to maintain beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)
- Point source wastewater treatment requirements (IDAPA 58.01.02.401.02)

2.2 *TMDL Compliance*

If there is an approved or established TMDL, then the permittee must comply with the established loads in the TMDL. Approved TMDLs can be found on DEQ's website (<https://www.deq.idaho.gov/water-quality/surface-water/tmdls/table-of-sbas-tmdls/>) or by contacting the appropriate regional office contact (Table 1).

This condition is necessary to meet the following water quality requirements:

Ensure projects are consistent with waste load and load allocations established in approved TMDLs (IDAPA 58.01.02.055.04 and .05).

2.3 Outstanding Resource Waters

If waters become designated as ORWs during the term of the NWP, a permittee proposing a project on an ORW must contact the appropriate DEQ regional office and apply for individual certification.

This condition is necessary to meet the following water quality requirements:

Ensure there is no lowering of water quality in any ORW as required by the Idaho Antidegradation Policy (IDAPA 58.01.02.051.03).

2.4 Fill Material

Material subject to suspension, including suspended dredge material, shall be free of easily suspended fine material. The fill material to be placed in waters of the United States shall be clean material only. If dredged material is proposed to be used as fill material and there is a possibility the material may be contaminated, then the permittee must apply the procedures in the *Sediment Evaluation Framework for the Pacific Northwest* (RSET, 2018) to assess and characterize sediment to determine the suitability of dredged material for unconfined-aquatic placement; determine the suitability of post dredge surfaces; and to predict effects on water quality during dredging.

This condition is necessary to meet the following water quality requirements:

Prevent suspension of fine sediment and turbidity in order to provide beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)
- Point source wastewater treatment requirements (IDAPA 58.01.02.401.02)

Prevent suspension of hazardous, toxic, or deleterious materials or other pollutants that may be associated with fill material in order to ensure beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for hazardous materials (IDAPA 58.01.02.200.01), toxic substances (IDAPA 58.01.02.200.02), deleterious materials (IDAPA 58.01.02.200.03), excess nutrients (IDAPA 58.01.02.200.06), or oxygen demanding materials (IDAPA 58.01.02.200.09)
- Numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210)

2.5 Turbidity

If no visible sediment plume is present, it is reasonable to assume that there is no potential violation of the water quality criteria for turbidity (IDAPA 58.01.02.250.02.e). Therefore, turbidity monitoring is only required when activities cause a visible sediment plume.

A properly and regularly calibrated turbidimeter is required for measurements analyzed in the field, but grab samples may be collected and taken to a laboratory for analysis. When monitoring is required a sample must be taken at an undisturbed area immediately up-current from in-water disturbance or discharge to establish background turbidity levels. Background turbidity, latitude/longitude, date, and time must be recorded prior to monitoring down-current. Then a sample must be collected immediately down-current from the in-water disturbance or point of discharge and within any visible sediment plume. The turbidity, latitude/longitude, date, and time must be recorded for each sample. The downstream sample must be taken immediately following the upstream sample in order to obtain meaningful and representative results.

Results from the down-current sampling point must be compared to the up-current or background level to determine whether project activities are causing an exceedance of state WQS. If the downstream turbidity is 50 NTUs or more greater than the upstream turbidity, then the project is causing an exceedance of the WQS (IDAPA 58.01.02.250.02.e). Any exceedance of the turbidity standard must be reported to the appropriate DEQ regional office (Table 1) within 24 hours.

The following steps should be followed to ensure compliance with the turbidity standard:

1. If a visible plume is observed, collect turbidity measurements at 1) an upstream location; and, 2) from within the plume, and compare the results to Idaho's instantaneous numeric turbidity criterion (50 NTU over background).
2. If turbidity in the plume is less than 50 NTU instantaneously over the background turbidity continue monitoring as long as the plume is visible. If turbidity exceeds background turbidity by more than 50 NTU instantaneously then stop all earth disturbing construction activities immediately and proceed to Step 3. If turbidity exceeds background turbidity by more than 25 NTU, or if a visible plume is observed for more than 10 consecutive days, then stop all earth disturbing construction activities and proceed to Step 3.
3. Notify the appropriate DEQ regional office within 24 hours of any turbidity criteria exceedance. Take action to address the cause of the exceedance. That may include inspecting the condition of project BMPs. If the BMPs are functioning to their fullest capability, then the permittee must modify project activities and/or BMPs to correct the exceedance.
4. Earth disturbing activities may continue once turbidity readings return to within 50 NTU over background instantaneously; or, if turbidity has exceeded 25 NTU over background for more than ten consecutive days, once turbidity readings have no longer exceeded 25 NTU over background for at least 24 consecutive hours.

Copies of daily logs for turbidity monitoring must be available to DEQ upon request. The report must describe all exceedances and subsequent actions taken, including the effectiveness of the action.

This condition is necessary to meet the following water quality requirements:

Ensure that activities do not impair beneficial uses, and ensure and document compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)

2.6 Mixing Zones

No mixing zones are authorized through this certification. If a mixing zone, or alternatively, a point of compliance, is desired, the permittee must apply for an individual certification and must contact the appropriate DEQ regional office (Table 1) to request authorization for a mixing zone.

This condition is necessary to meet the following water quality requirements:

Ensure any mixing zone is properly authorized in accordance with the Idaho Mixing Zone Policy (IDAPA 58.01.02.060).

2.7 Culverts

To prevent road surface and culvert bedding material from entering a stream, culvert crossings must include best management practices to retain road base and culvert bedding material. For perennial waters, the permittee should consider the Idaho Stream Channel Alterations rules (IDAPA 37.03.07). Another source of BMPs for culvert installation can be found in the Idaho Forest Practices Act (IDAPA 20.20.01). Examples of best management practices include, but are not limited to: parapets, wing walls, inlet and outlet rock armoring, compaction, suitable bedding material, anti-seep barriers such as bentonite clay, or other acceptable roadway retention systems.

This condition is necessary to meet the following water quality requirements:

Control of erosion, sediment, and turbidity to provide beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)

2.8 Wood Preservatives

DEQ's [Guidance for the Use of Wood Preservatives and Preserved Wood Products In or Around Aquatic Environments](#) must be considered when using treated wood materials in the aquatic environment. Within this guidance document DEQ references the [Best Management Practices](#)

[*for the Use of Treated Wood in Aquatic and Wetland Environments*](#)³. This document provides recommended guidelines for the production and installation of treated wood products destined for use in sensitive environments.

This condition is necessary to meet the following water quality requirements:

Ensure that toxic chemicals are not introduced into waters and to ensure compliance with the following water quality standards:

- General Surface Water Criteria for hazardous materials (IDAPA 58.01.02.200.01), toxic substances (IDAPA 58.01.02.200.02), and deleterious materials (IDAPA 58.01.02.200.03)
- Numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210)

2.9 Reporting of Discharges Containing Hazardous Materials or Deleterious Materials

All spills of hazardous material, deleterious material or petroleum products which may impact waters (ground and surface) of the state shall be immediately reported. Call 911 if immediate assistance is required to control, contain or clean up the spill. If no assistance is needed in cleaning up the spill, contact the appropriate DEQ regional office in Table 2 during normal working hours or Idaho State Communications Center after normal working hours. If the spilled volume is above federal reportable quantities, contact the National Response Center.

For immediate assistance: Call 911

National Response Center: (800) 424-8802

Idaho State Communications Center: (800) 632-8000

Table 2. Idaho DEQ regional contacts for reporting discharge or spill of hazardous or deleterious materials.

<i>Regional Office</i>	<i>Toll Free Phone Number</i>	<i>Phone Number</i>
Boise	888-800-3480	208-373-0550
Coeur d'Alene	877-370-0017	208-769-1422
Idaho Falls	800-232-4635	208-528-2650
Lewiston	877-541-3304	208-799-4370
Pocatello	888-655-6160	208-236-6160
Twin Falls	800-270-1663	208-736-2190

³ Western Wood Preservers Institute, Wood Preservation Canada, Southern Pressure Treaters' Association, and Southern Forest Products Association. 2011. "Best Management Practices: For the Use of Treated Wood in Aquatic and Wetland Environments" Vancouver, WA: Western Wood Preservers Institute.

This condition is necessary to meet the following water quality requirements:

Ensure compliance with the following water quality standards:

- Hazardous Material Spills (IDAPA 58.01.02.850)
- Petroleum release reporting, investigation, and confirmation (IDAPA 58.01.02.851)
- Petroleum release response and corrective action (IDAPA 58.01.02.852)

2.10 Other Conditions

This certification is conditioned upon the requirement that if there are material modifications of the NWP or the permitted activities—including without limitation, significant changes from the draft NWP to final NWP, or significant changes to the draft Regional Conditions, then DEQ must re-evaluate the certification to determine compliance with Idaho WQS and to provide additional certification pursuant to Section 401.

This condition is necessary to ensure that DEQ can evaluate any material modification to ensure it meets water quality requirements and complies with the Idaho antidegradation policy (IDAPA 58.01.02.051) and its implementation (IDAPA 58.01.02.052), general surface water quality criteria (200), numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210), numeric criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

3 Projects for Which Certification Is Denied

DEQ cannot certify that the following activities will comply with water quality requirements, including State WQS and other appropriate requirements of state law, and is therefore denying certification for the activities listed below.

For activities for which certification has been denied, the applicant will be required to request an individual certification before the activity can be conducted. Individual certification requests will provide DEQ with the opportunity to review project details and determine if additional conditions are necessary to ensure that water quality requirements will be met.

Upon review and evaluation of individual certification requests, DEQ may 1) certify without condition, 2) provide individual certification with conditions necessary to ensure water quality requirements will be met, or 3) deny certification for projects that will not meet water quality requirements.

3.1 NWP denied

DEQ denies certification for all activities proposed to occur on waters designated as ORWs during the term of the permit. This denial is necessary to ensure compliance with the water quality requirements of Idaho's antidegradation policy (IDAPA 58.01.02.051.03) and implementation procedures (IDAPA 58.01.02.052.09.g).

In addition, the following NWP's are denied certification for all Idaho waters. Projects seeking coverage under these NWP's must request individual certification from DEQ.

NWP 16 - Return Water from Upland Contained Disposal Areas

Basis for denial:

Return water from upland disposal areas has the potential to contribute turbidity, sediment, and other toxic and non-toxic pollutants to receiving waters.

To ensure that discharge from upland contained disposal areas meets water quality requirements, DEQ must evaluate the quality of the return water and evaluate the potential pollutants associated with return water on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

NWP 23 - Approved Categorical Exclusions

Basis for denial:

DEQ is unable to determine that meeting the requirements for categorical exclusion under the National Environmental Policy Act will meet state water quality requirements.

DEQ will evaluate categorically excluded activities on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

NWP 53 – Removal of Low-Head Dams

Basis for denial:

Material released from the removal of low head dams has the potential to contribute turbidity, sediment, and other toxic and non-toxic pollutants to receiving waters.

In order to ensure that release of materials from the removal of low head dams meets water quality requirements, DEQ must evaluate the potential pollutants associated with this release on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

3.2 NWP's partially denied

The following activities have the potential to disturb significant areas and could disturb a significant fraction of entire Assessment Units, causing permanent and significant impairment of designated and existing beneficial uses. The conditions associated with the NWP, regional conditions, and the conditions associated with this certification are not sufficient to provide DEQ with assurance that projects of this magnitude would not result in impairment of existing or

designated beneficial uses in all waters, and potentially increase degradation in high quality (Tier II) waters.

In order to meet the requirements of Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052), ensure that beneficial uses are not impaired, and ensure compliance with general surface water quality criteria for sediment (IDAPA 58.01.02.200.08), DEQ must evaluate these projects on a case-by-case basis and provide individual certification where applicable.

3.2.1 NWPs 3, 13, and 14

The 2020 NWPs 3, 13, and 14 require preconstruction notification (PCN) for certain activities when it is necessary for the district engineer to review activities to ensure only minimal adverse environmental effects.

While the additional district engineer review is intended to ensure that activities will cause only minimal adverse environmental effects, it is not reasonable to expect that the district engineer review will consider the requirements of Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052) when making their determination. Consequently, DEQ cannot certify that activities requiring PCN under these NWPs would not cause degradation of water quality, and therefore cannot certify that these activities would meet Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052).

Therefore, DEQ is denying certification for the following activities that require PCN under the proposed 2020 NWPs:

NWP 3 – Maintenance

Activities Denied Certification

- Activities authorized by paragraph (b) of NWP 3

NWP 13 – Bank Stabilization

Activities Denied Certification:

- activities involving discharge into special aquatic sites;
- activities in excess of 500 linear feet;
- activities that involve discharge of greater than one cubic yard per running foot measured along the length of the treated bank below the plane of the ordinary high water mark

NWP 14 – Linear Transportation Projects

Activities Denied Certification:

- activities resulting in the loss of waters of the United States in excess of 1/10 acre;
- discharge in a special aquatic site, including wetlands

3.2.2 NWPs 12, C, and D

The 2017 NWP 12 included activities proposed to be permitted under the 2020 NWPs C and D.

The 2017 NWP 12 required PCN for activities that, among other thresholds, involved mechanized clearing in forested wetlands, exceeded 500 linear feet, or that resulted in loss of greater than 1/10 acre of waters of the United States. The 2020 NWP proposes removal of these thresholds for PCN, and does not require additional review from the ACOE district engineer to ensure only minimal adverse environmental effects.

Without the requirement for PCN and additional review from the district engineer, DEQ cannot certify that these activities will not result in degradation. Therefore, DEQ is denying certification for the following activities:

NWP 12 – Oil or Natural Gas Pipeline Activities

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- oil or natural gas pipelines in waters of the United States that exceed 500 linear feet or that run adjacent to a water body for greater than 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

NWP C – Electric Utility Line and Telecommunications Activities

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- electric utility line and telecommunications activities in waters of the United States that exceed 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

NWP D – Utility Line Activities for Water and Other Substances

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- utility line activities in waters of the United States that exceed 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

3.2.3 NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, 52, and E

The 2017 NWPs for the following activities had a 300 linear foot limit for losses of stream bed. The 2020 NWP proposes removal of the 300 linear foot limit for losses of stream bed and instead rely solely on the ½ acre limit.

The median bankfull width measured from 48 wadeable streams monitored in 2010 as part of DEQ's Beneficial Use reconnaissance Program (BURP) was 19.7 feet. A loss of ½ acre at this stream width would correspond to 1,105 linear feet of loss, or the equivalent of 0.2 miles of stream. DEQ cannot certify that losses of this magnitude of stream bed, or that losses of stream

bed based solely on the ½ acre limit, would not result in permanent degradation. Therefore, DEQ is denying certification for the following activities that exceed the 300 linear foot limit previously imposed by the 2017 NWP:

NWP 21 – Surface Coal Mining Activities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 29 – Residential Developments

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 39 – Commercial and Institutional Developments

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 40 – Agricultural Activities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 42 – Recreational Facilities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 43 – Stormwater Management Facilities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 44 – Mining Activities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 50 – Underground Coal Mining Activities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 51 – Land Based Renewable Energy Generation Facilities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 52 – Water-Based Renewable Energy Generation Pilot Projects

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP E – Water Reclamation and Reuse Facilities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

4 Right to Appeal Final Certification

The final Section 401 Water Quality Certification may be appealed by submitting a petition to initiate a contested case, pursuant to Idaho Code § 39-107(5) and the “Rules of Administrative Procedure before the Board of Environmental Quality” (IDAPA 58.01.23), within 35 days of the date of the final certification.

Questions or comments regarding the actions taken in this certification should be directed to Jason Pappani, State Office IDEQ, at (208) 373-0515 or via email at jason.pappani@deq.idaho.gov.



Mary Anne Nelson, PhD

Surface and Wastewater Division
Administrator



MEMORANDUM

TO: James Joyner, Chief, Upper Snake and Idaho Panhandle Branch, U.S. Army Corps of Engineers

FROM: Mary Anne Nelson, Surface and Wastewater Division Administrator of the Department of Environmental Quality

DATE: 01/10/23

SUBJECT: 2020 Final § 401 Water Quality Certification Contact and Hyperlink Updates

The Department of Environmental Quality (DEQ) is submitting an update for agency contacts and hyperlinks to be included as an attachment to the § 401 Water Quality Certification dated December 4, 2020, upon authorization of a federal permit or license.


Table 1. DEQ state and regional office contacts.

Regional Office	Address	Phone Number	Email
Boise	1445 N. Orchard St., Boise, ID 83706	(208) 373-0490	chase.cusack@deq.idaho.gov
Coeur d'Alene	2110 Ironwood Parkway, Coeur d'Alene, ID 83814	(208) 666-4605	chantilly.higbee@deq.idaho.gov
Idaho Falls	900 N. Skyline, Suite B., Idaho Falls, ID 83402	(208) 528-2679	alex.bell@deq.idaho.gov
Lewiston	1118 "F" St., Lewiston, ID 83501	(208) 799-4874	sujata.connell@deq.idaho.gov
Pocatello	444 Hospital Way, #300 Pocatello, ID 83201	(208) 239-5007	matthew.schenk@deq.idaho.gov
Twin Falls	650 Addison Ave. W., Suite 110, Twin Falls, ID 83301	(208) 737-3877	sean.woodhead@deq.idaho.gov
State Office	1410 N. Hilton St., Boise, ID 83706	(208) 373-0570	tambra.phares@deq.idaho.gov

Table 2. Updated hyperlinks.

Section	Hyperlink
1.2	Integrated Report
1.2	Final 2022 Integrated Report Interactive Mapper
2.1	Catalog of Storm Water Best Management Practices
2.2	Approved TMDLs
2.8	Guidance for the Use of Wood Preservatives and Preserved Wood Products In or Around Aquatic Environments
2.8	Best Management Practices for the Use of Treated Wood in Aquatic and Wetland Environments

Please direct questions or comments about the actions taken in the 2020 Final § 401 Water Quality Certification to Tandra Phares, State Office DEQ, (208) 373-0187, or email at tandra.phares@deq.idaho.gov.

APPROVAL:  _____ 01/10/2023
Mary Anne Nelson, PhD Date
Department of Environmental Quality
Surface and Wastewater Division Administrator

Appendix D
FEMA Elevation Certificate

National Flood Insurance Program

Elevation Certificate and Instructions

2023 EDITION



FEMA

ELEVATION CERTIFICATE AND INSTRUCTIONS

PAPERWORK REDUCTION ACT NOTICE

Public reporting burden for this data collection is estimated to average 3.75 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20742, Paperwork Reduction Project (1660-0008). **NOTE: Do not send your completed form to this address.**

PRIVACY ACT STATEMENT

Authority: Title 44 CFR § 61.7 and 61.8.

Principal Purpose(s): This information is being collected for the primary purpose of documenting compliance with National Flood Insurance Program (NFIP) floodplain management ordinances for new or substantially improved structures in designated Special Flood Hazard Areas. This form may also be used as an optional tool for a Letter of Map Amendment (LOMA), Conditional LOMA (CLOMA), Letter of Map Revision Based on Fill (LOMR-F), or Conditional LOMR-F (CLOMR-F), or for flood insurance rating purposes in any flood zone.

Routine Use(s): The information on this form may be disclosed as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/ FEMA-003 – *National Flood Insurance Program Files System of Records Notice 79* Fed. Reg. 28747 (May 19, 2014) and upon written request, written consent, by agreement, or as required by law.

Disclosure: The disclosure of information on this form is voluntary; however, failure to provide the information requested may impact the flood insurance premium through the NFIP. Information will only be released as permitted by law.

PURPOSE OF THE ELEVATION CERTIFICATE

The Elevation Certificate is an important administrative tool of the NFIP. It can be used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to inform the proper insurance premium, and to support a request for a LOMA, CLOMA, LOMR-F, or CLOMR-F.

The Elevation Certificate is used to document floodplain management compliance for Post-Flood Insurance Rate Map (FIRM) buildings, which are buildings constructed after publication of the FIRM, located in flood Zones A1–A30, AE, AH, AO, A (with Base Flood Elevation (BFE)), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, and A99. It may also be used to provide elevation information for Pre-FIRM buildings or buildings in any flood zone.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt floodplain management regulations that specify minimum requirements for reducing flood losses. One such requirement is for the community to obtain the elevation of the lowest floor (including basement) of all new and substantially improved buildings, and maintain a record of such information. The Elevation Certificate provides a way for a community to document compliance with the community's floodplain management ordinance.

Use of this certificate does not provide a waiver of the flood insurance purchase requirement. Only a LOMA or LOMR-F from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the federal mandate for a lending institution to require the purchase of flood insurance. However, the lending institution has the option of requiring flood insurance even if a LOMA/LOMR-F has been issued by FEMA. The Elevation Certificate may be used to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request. Lowest Adjacent Grade (LAG) elevations certified by a land surveyor, engineer, or architect, as authorized by state law, will be required if the certificate is used to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request. A LOMA, CLOMA, LOMR-F, or CLOMR-F request must be submitted with either a completed FEMA MT-EZ or MT-1 application package, whichever is appropriate. If the certificate will only be completed to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request, there is an option to document the certified LAG elevation on the Elevation Form included in the MT-EZ and MT-1 application.

This certificate is used only to certify building elevations. A separate certificate is required for floodproofing. Under the NFIP, non-residential buildings can be floodproofed up to or above the BFE. A floodproofed building is a building that has been designed and constructed to be watertight (substantially impermeable to floodwaters) below the BFE. Floodproofing of residential buildings is not permitted under the NFIP unless FEMA has granted the community an exception for residential floodproofed basements. The community must adopt standards for design and construction of floodproofed basements before FEMA will grant a basement exception. For both floodproofed non-residential buildings and residential floodproofed basements in communities that have been granted an exception by FEMA, a floodproofing certificate is required.

The expiration date on the form herein does not apply to certified and completed Elevation Certificates, as a completed Elevation Certificate does not expire, unless there is a physical change to the building that invalidates information in Section A Items A8 or A9, Section C, Section E, or Section H. In addition, this form is intended for the specific building referenced in Section A and is not invalidated by the transfer of building ownership.

Additional guidance can be found in FEMA Publication 467-1, *Floodplain Management Bulletin: Elevation Certificate*.

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>450-490 WOOD RIVER LLC</u>	Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>450 WOOD RIVER DRIVE</u>	Company NAIC Number: _____
City: <u>KETCHUM</u> State: <u>ID</u> ZIP Code: <u>83340</u>	
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>MARY'S PLACE SUB; LOT 3, BLK 1 (LOCATED WITHIN SECTION 13, T.4 N., R. 17 E., B.M., CITY OF KETCHUM</u>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>RESIDENTIAL</u>	
A5. Latitude/Longitude: Lat. <u>43.674095 N</u> Long. <u>114.369637 W</u> Horiz. Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84	
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).	
A7. Building Diagram Number: <u>3</u>	
A8. For a building with a crawlspace or enclosure(s): a) Square footage of crawlspace or enclosure(s): _____ sq. ft. b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: _____ Engineered flood openings: _____ d) Total net open area of non-engineered flood openings in A8.c: _____ sq. in. e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): _____ sq. ft. f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): _____ sq. ft.	
A9. For a building with an attached garage: a) Square footage of attached garage: <u>886.00</u> sq. ft. b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: _____ Engineered flood openings: _____ d) Total net open area of non-engineered flood openings in A9.c: _____ sq. in. e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): _____ sq. ft. f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): _____ sq. ft.	
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION	
B1.a. NFIP Community Name: <u>CITY OF KETCHUM</u> B1.b. NFIP Community Identification Number: <u>160023</u>	
B2. County Name: <u>BLAINE</u> B3. State: <u>ID</u> B4. Map/Panel No.: <u>16013C0461E</u> B5. Suffix: _____	
B6. FIRM Index Date: <u>11/26/2010</u> B7. FIRM Panel Effective/Revised Date: _____	
B8. Flood Zone(s): <u>AE</u> B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>5766.95</u>	
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input type="checkbox"/> FIS <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input checked="" type="checkbox"/> Other: _____	
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____	
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA	
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

450 WOOD RIVER DRIVE

City: KETCHUM

State: ID

ZIP Code: 83340

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: N/A FOR CONSTRUCTION DWGS Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other: _____

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used?

Yes No

If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

a) Top of bottom floor (including basement, crawlspace, or enclosure floor): 5769.0 feet meters

b) Top of the next higher floor (see Instructions): 5769.58 feet meters

c) Bottom of the lowest horizontal structural member (see Instructions): _____ feet meters

d) Attached garage (top of slab): 5769.0 feet meters

e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area): 5769.0 feet meters

f) Lowest Adjacent Grade (LAG) next to building: Natural Finished 5766.5 feet meters

g) Highest Adjacent Grade (HAG) next to building: Natural Finished 5769.58 feet meters

h) Finished LAG at lowest elevation of attached deck or stairs, including structural support: 5766.5 feet meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Check here if attachments and describe in the Comments area.

Certifier's Name: Phoebe Johannessen, P.E.

License Number: 17661

Title: Civil Engineer

Company Name: Galena-Benchmark Engineering

Address: PO BOX 733

City: Ketchum

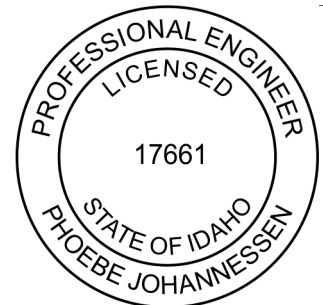
State: ID

ZIP Code: 83340

Telephone: (208) 726-9512

Ext.: _____

Email: phoebe@galena-benchmark.com



Signature: *Phoebe Johannessen*

Date: 04/17/2024

Place Seal Here

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

450 WOOD RIVER DRIVE

City: KETCHUM

State: ID

ZIP Code: 83340

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION E – BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

For Zones AO, AR/AO, and A (without BFE), complete Items E1–E5. For Items E1–E4, use natural grade, if available. If the Certificate is intended to support a Letter of Map Change request, complete Sections A, B, and C. Check the measurement used. In Puerto Rico only, enter meters.

Building measurements are based on: Construction Drawings* Building Under Construction* Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

E1. Provide measurements (C.2.a in applicable Building Diagram) for the following and check the appropriate boxes to show whether the measurement is above or below the natural HAG and the LAG.

a) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ feet meters above or below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ feet meters above or below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (C2.b in applicable Building Diagram) of the building is: _____ feet meters above or below the HAG.

E3. Attached garage (top of slab) is: _____ feet meters above or below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is: _____ feet meters above or below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge*

Check here if attachments and describe in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Telephone: _____ Ext.: _____ Email: _____

Signature: _____ Date: _____

Comments:

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

450 WOOD RIVER DRIVE

City: KETCHUM

State: ID

ZIP Code: 83340

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION G – COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Section A, B, C, E, G, or H of this Elevation Certificate. Complete the applicable item(s) and sign below when:

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by state law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.a. A local official completed Section E for a building located in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when item E 5 is completed for a building located in Zone AO.
- G2.b. A local official completed Section H for insurance purposes.
- G3. In the Comments area of Section G, the local official describes specific corrections to the information in Sections A, B, E and H.
- G4. The following information (Items G5–G11) is provided for community floodplain management purposes.
- G5. Permit Number: _____ G6. Date Permit Issued: _____
- G7. Date Certificate of Compliance/Occupancy Issued: _____
- G8. This permit has been issued for: New Construction Substantial Improvement
- G9.a. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum: _____
- G9.b. Elevation of bottom of as-built lowest horizontal structural member: _____ feet meters Datum: _____
- G10.a. BFE (or depth in Zone AO) of flooding at the building site: _____ feet meters Datum: _____
- G10.b. Community's minimum elevation (or depth in Zone AO) requirement for the lowest floor or lowest horizontal structural member: _____ feet meters Datum: _____
- G11. Variance issued? Yes No If yes, attach documentation and describe in the Comments area.

The local official who provides information in Section G must sign here. *I have completed the information in Section G and certify that it is correct to the best of my knowledge. If applicable, I have also provided specific corrections in the Comments area of this section.*

Local Official's Name: _____ Title: _____

NFIP Community Name: _____

Telephone: _____ Ext.: _____ Email: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____

Date: _____

Comments (including type of equipment and location, per C2.e; description of any attachments; and corrections to specific information in Sections A, B, D, E, or H):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

450 WOOD RIVER DRIVE

City: KETCHUM

State: ID

ZIP Code: 83340

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION H – BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES (SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)

The property owner, owner's authorized representative, or local floodplain management official may complete Section H for all flood zones to determine the building's first floor height for insurance purposes. Sections A, B, and I must also be completed. Enter heights to the nearest tenth of a foot (nearest tenth of a meter in Puerto Rico). **Reference the Foundation Type Diagrams (at the end of Section H Instructions) and the appropriate Building Diagrams (at the end of Section I Instructions) to complete this section.**

H1. Provide the height of the top of the floor (as indicated in Foundation Type Diagrams) above the Lowest Adjacent Grade (LAG):

a) **For Building Diagrams 1A, 1B, 3, and 5–8.** Top of bottom _____ feet meters above the LAG floor (include above-grade floors only for buildings with crawlspaces or enclosure floors) is:

b) **For Building Diagrams 2A, 2B, 4, and 6–9.** Top of next higher floor (i.e., the floor above basement, crawlspace, or enclosure floor) is: _____ feet meters above the LAG

H2. Is **all** Machinery and Equipment servicing the building (as listed in Item H2 instructions) elevated to or above the floor indicated by the H2 arrow (shown in the Foundation Type Diagrams at end of Section H instructions) for the appropriate Building Diagram?

Yes No

SECTION I – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and H must sign here. *The statements in Sections A, B, and H are correct to the best of my knowledge.* **Note:** If the local floodplain management official completed Section H, they should indicate in Item G2.b and sign Section G.

Check here if attachments are provided (including required photos) and describe each attachment in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Telephone: _____ Ext.: _____ Email: _____

Signature: _____ Date: _____

Comments:

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11
BUILDING PHOTOGRAPHS

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
450 WOOD RIVER DRIVE

City: KETCHUM State: ID ZIP Code: 83340

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.

Photo One

Photo One Caption:

Clear Photo One

Photo Two

Photo Two Caption:

Clear Photo Two

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11
BUILDING PHOTOGRAPHS

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
450 WOOD RIVER DRIVE

City: KETCHUM State: ID ZIP Code: 83340

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.

Photo Three

Photo Three Caption:

Clear Photo Three

Photo Four

Photo Four Caption:

Clear Photo Four