

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 APPLICANTS MAY NOT BE PROCESSED

1. CONTACT INFORMATION - APPLICANT Required:				2. CONTACT INFORMATION - AGENT:				
Name: Dave Buich				Name: James Fronk				
Company: Middleton Rivers, LLC.				Company: James Fronk Consulting, LLC.				
Mailing Address: P.O. Box 516				Mailing Address: P.O. Box 576				
City: Eagle		State: ID	Zip Code: 83616	City: McCall		State: ID	Zip Code: 83638	
Phone Number (include area code): 208 866 0594		E-mail: DaveBuich@gmail.com		Phone Number (include area code): 208 634 8093		E-mail: jamesfronkconsulting@gmail.com		
3. PROJECT NAME or TITLE: Sawtooth Lake Mixed-Use Subdivision				4. PROJECT STREET ADDRESS: 22457 Middleton Rd.				
5. PROJECT COUNTY: Canyon		6. PROJECT CITY: Middleton		7. PROJECT ZIP CODE: 83644		8. NEAREST WATERWAY/WATERBODY: Boise River		
9. TAX PARCEL ID#: 18035000 0		10. LATITUDE: 43 41' 49.52" N LONGITUDE: 116 36' 56.90" W		11a. 1/4: SW	11b. 1/4: SE	11c. SECTION: 1	11d. TOWNSHIP: 4	11e. RANGE: R3W
12a. ESTIMATED START DATE: June 1, 2022		12b. ESTIMATED END DATE: June 2, 2022		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. See Attached Vicinity Map - Figure 1.								
15. PURPOSE and NEED: <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> Other Describe the reason or purpose of your project; include a brief description of the overall project. Continue to Block 16 to detail each work activity and overall project. Sawtooth Lake Mixed-Use Subdivision consist of: 122 - Single Family (Attached) Residential Lots 5 - Commercial Lots								

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.:

The activity to take place on the Sawtooth Lake Subdivision will be the placement of imported fill into 1.64 acres of Emergent Wetlands. The construction consists of removing the unsuitable soil material to an average depth of 1 ft. and replaced with 1 ft. of structural fill. The unsuitable soil material will be removed to an upland area located next to the proposed mitigation area. The removed and transported unsuitable material will be used for mitigation soils, plant seed resource and incorporated into the proposed mitigation area. (See Figure 4 - Wetland Mitigation Plan). The construction equipment to be used on the project will consist of tracked excavator, dump trucks, front end loader, and structural material rubber tire compactor.

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.

The ability to avoid wetland impacts on the Sawtooth Lakes Subdivision project has been evaluated and alternatives considered. The owner for the project has undertaken significant effort to analyze this project in relation to minimizing wetland impacts. The evaluation was conducted with the help of the applicant consultants, consisting of the Wetland Scientist, Engineer, and Land Planner. The consultants goal of avoidance of wetland impacts where possible and evaluate the best option to move forward. One alternative consideration on the project possible wetland impacts was to evaluate the existing emergent (PES) wetland areas identified on the "TO Wetland Delineation - October 16, 2016" - labeled areas PEM 0.05 ac., 0.01 ac., 1.46 ac., 0.27 ac. totaling 1.66 acres - minus 0.15 ac. in the proposed mitigation area. (See Figure 4 - Wetland Mitigation Plan) The identified impact areas should be considered of marginal wetland value. (See Figure 3). The existing emergent wetlands (PEM) have been altered by past activities on the site and are isolated from the main Boise River influence. The mitigation plan proposal for the wetland impacts areas on the project is to relocate and reconstruct on-site adjacent to the Boise River, and next to the higher functioning existing wetlands. (See Figure 4 - Wetland Mitigation Plan). The wetland impacts proposed and identified in Figure 3 are required for the high density development suggested by the City of Middleton for future city growth planning needs and the resulting high density mix use development to be economically viability. The wetland impact areas on Sawtooth Lake Sub. total 1.64 acres of the 15.18 acre 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.

See Figure 4 - Wetland Mitigation Plan.

Wetland Mitigation Plan Components:

1. Construct 0.70 acres of PSS adjacent to existing 0.17 and 0.01 acres of PSS. 2 to 1 ratio = 1.40 acres.
2. Construct 0.30 acres of PEM adjacent to existing 0.15 and 0.10 acres of PEM. 1 to ratio = 0.30 acres

Total constructed wetland replacement mitigation area = 1.70 acres.

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

Dirt or Topsoil: _____ cubic yards
 Dredged Material: _____ cubic yards
 Clean Sand: _____ cubic yards
 Clay: _____ cubic yards
 Gravel, Rock, or Stone: 2,650 cubic yards
 Concrete: _____ cubic yards
 Other (describe): _____ : _____ cubic yards
 Other (describe): _____ : _____ cubic yards

TOTAL: 2,650 cubic yards

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

Filling: 1.64 acres 71,500 sq ft. 2,650 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: 1.64 acres 71,500 sq ft. 2,650 cubic yards

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

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:
NA

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: NA 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

 Erosion control methods will consist of the installation of silt fencing and 15" Bio Rolls around disturbed areas. The stabilization will consist of reseeding with grass mix and eventual permanent ornamental grass and shrubs incorporated into the proposed subdivision overall landscaping.

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				

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)
Fill	Emergent (PEM)	500 lf.	Building Pads - Parking - Street	71,500

TOTAL WETLAND IMPACTS (Square Feet): 71,500

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

<p>Name: James J. Isham</p> <p>Mailing Address: 541 Hidden Lake Ct.</p> <p>City: State: Zip Code: Middleton ID 83644</p> <p>Phone Number (include area code): E-mail:</p>	<p>Name:</p> <p>Mailing Address: Dalynne Merrill</p> <p>City: State: Zip Code: Middleton ID 83644</p> <p>Phone Number (include area code): E-mail:</p>
<p>Name: Reynolds Averson</p> <p>Mailing Address: 571 Hidden Lake Ct.</p> <p>City: State: Zip Code: Middleton ID 83644</p> <p>Phone Number (include area code): E-mail:</p>	<p>Name: Terry Brown</p> <p>Mailing Address: 585 Hidden Lake Ct.</p> <p>City: State: Zip Code: Middleton ID 83638</p> <p>Phone Number (include area code): E-mail:</p>
<p>Name: Mike Hess</p> <p>Mailing Address: 597 Hidden Lake Ct.</p> <p>City: State: Zip Code: Middleton ID 83644</p> <p>Phone Number (include area code): E-mail:</p>	<p>Name: Salo Family Trust</p> <p>Mailing Address: 613 Hidden Lake Ct.</p> <p>City: State: Zip Code: Middleton ID 83638</p> <p>Phone Number (include area code): E-mail:</p>
<p>Name: Donald Brown</p> <p>Mailing Address: 625 Hidden Lake Ct.</p> <p>City: State: Zip Code: Middleton ID 83644</p> <p>Phone Number (include area code): E-mail:</p>	<p>Name: Gary Richards</p> <p>Mailing Address: 637 Hidden Lake Ct.</p> <p>City: State: Zip Code: Middleton ID 83638</p> <p>Phone Number (include area code): E-mail:</p>

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: _____

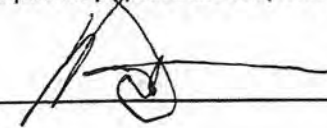
Signature of Agent: James G. Frank Date: 3.14.2022

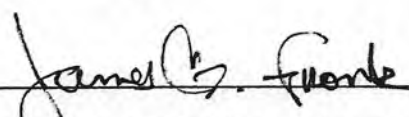
This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully 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".

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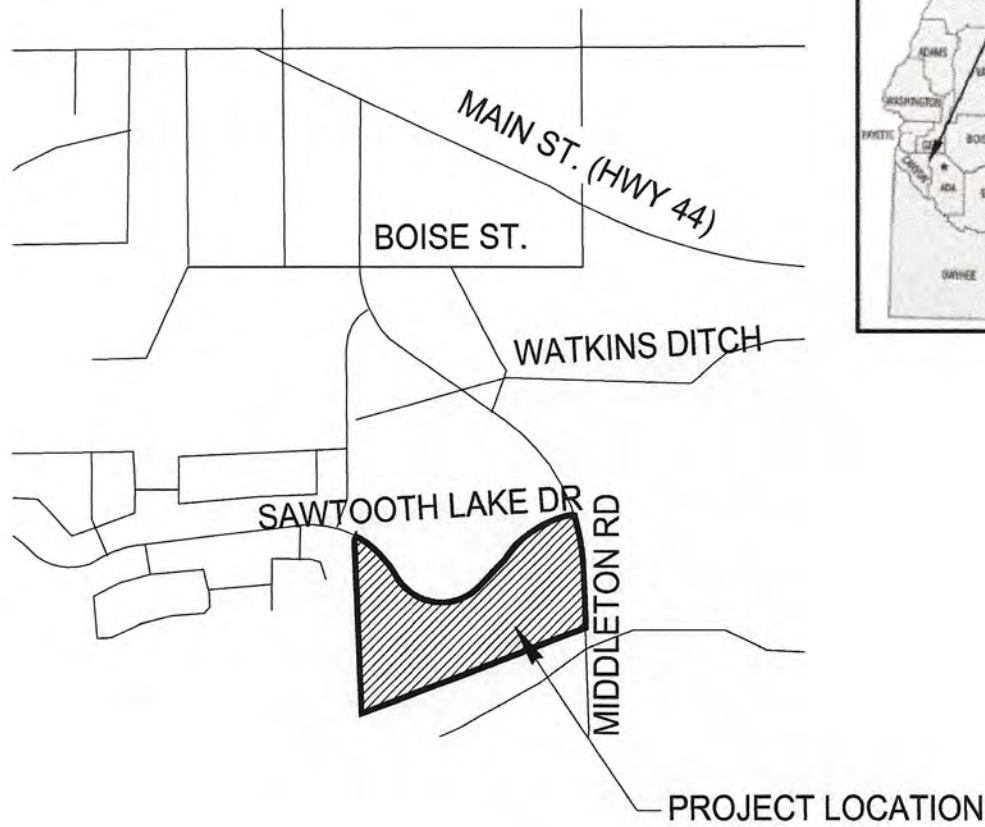
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Signature of Applicant:  Date: 1-22-22

Signature of Agent:  Date: 1-22-22

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".



NOT TO SCALE

SAWTOOTH LAKE MIXED USE

MIDDLETON, IDAHO

FIGURE 1
DATE: 3/15/2022

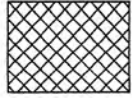
VICINITY MAP

JAMES FRONK CONSULTING, LLC
14028 NORWOOD RD.
MCCALL, ID 83638
(208) 634-8093

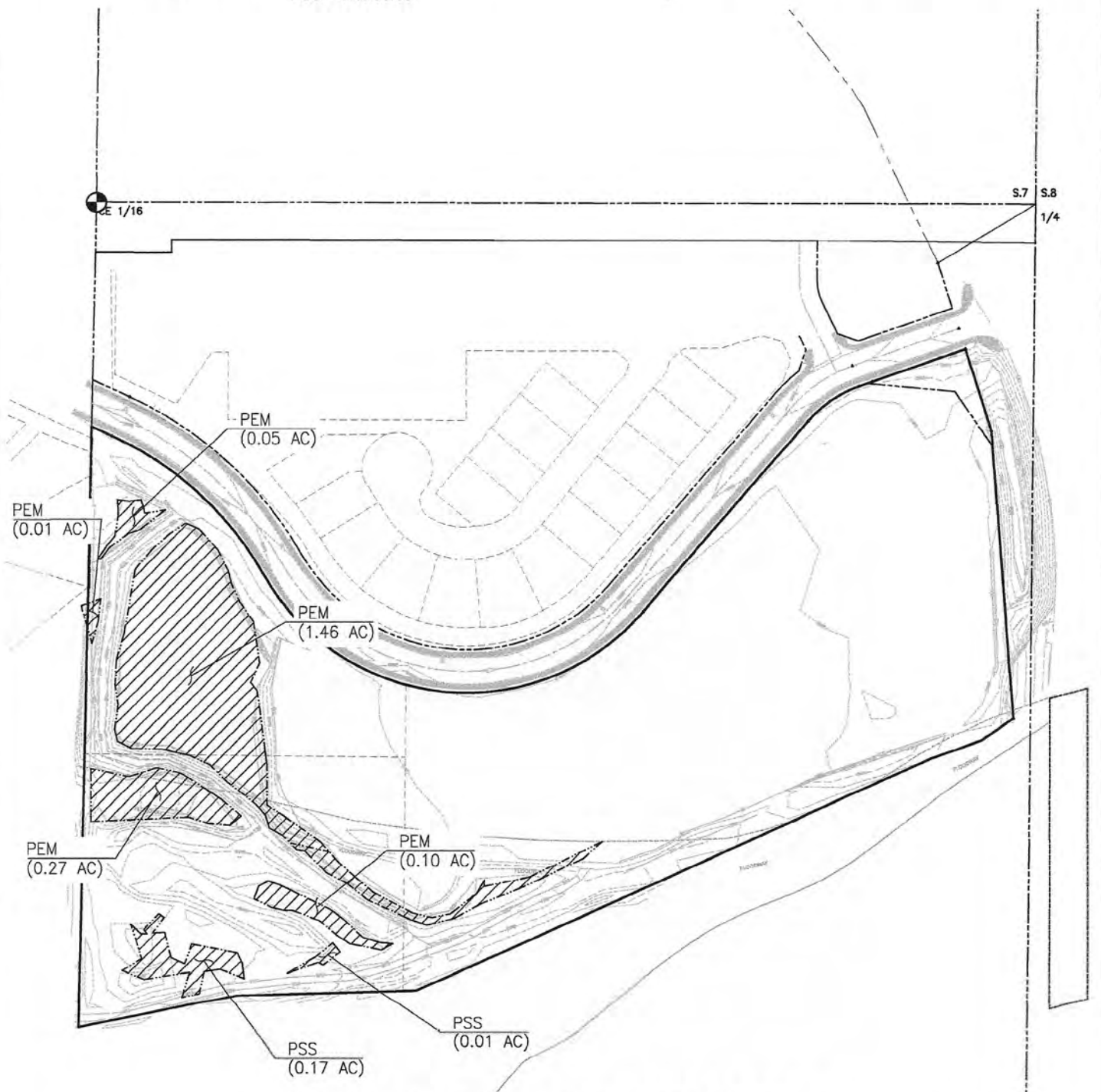
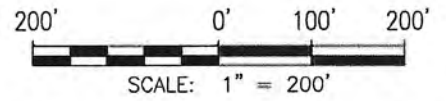


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LEGEND



EXISTING WETLANDS
PEM = 1.89 acres
PSS = 0.18 acres



SAWTOOTH LAKE MIXED USE MIDDLETON, IDAHO

FIGURE 2
DATE: 3/15/2022

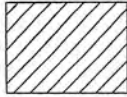
WETLAND DELINEATION MAP
(T-O DELINEATION OCTOBER 16, 2016)

JAMES FRONK CONSULTING, LLC
14028 NORWOOD RD.
MCCALL, ID 83638
(208) 634-8093

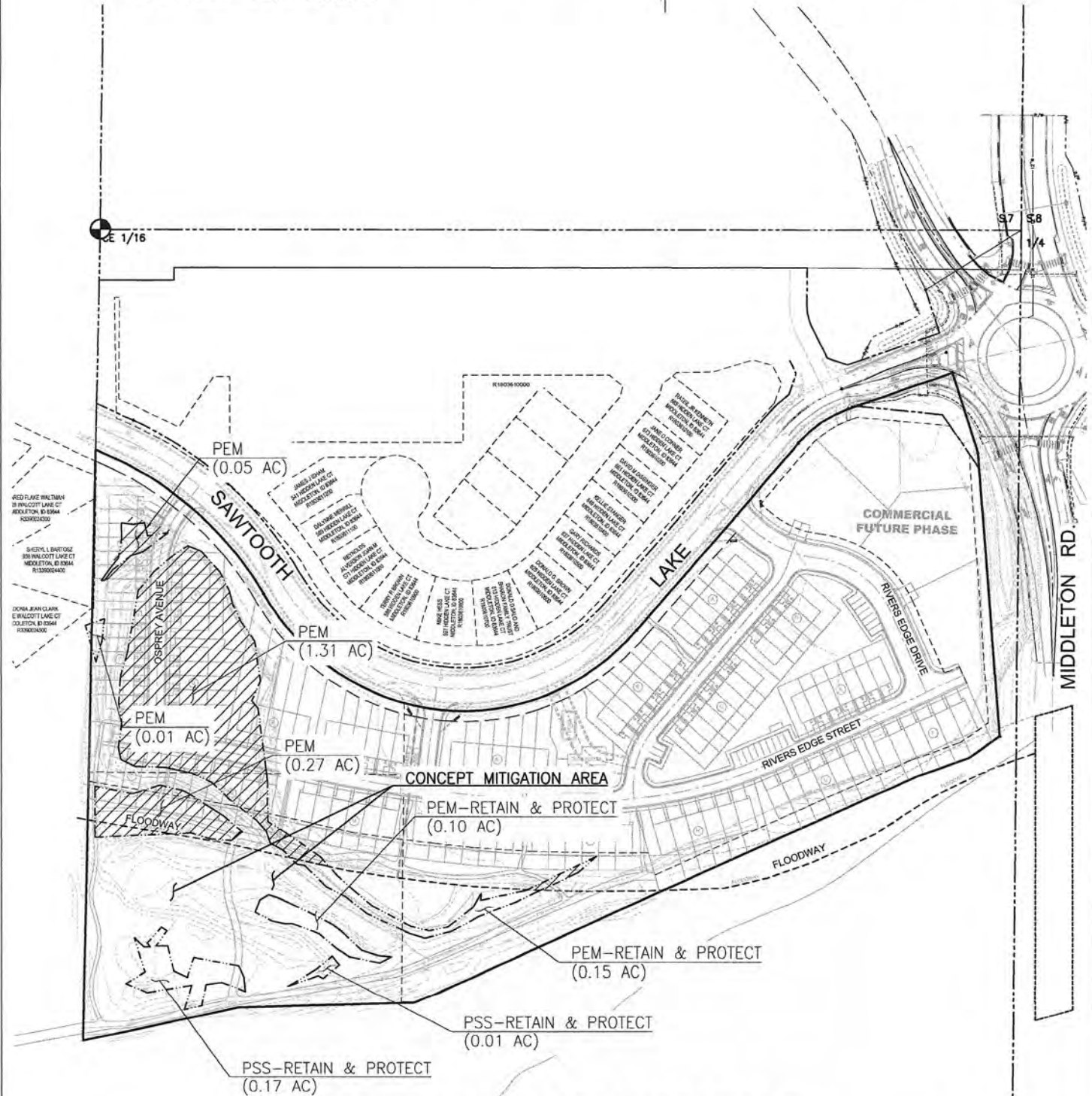
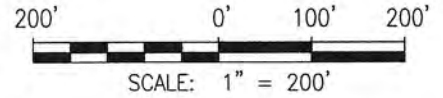
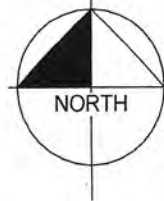


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LEGEND



PROPOSED IMPACTED WETLANDS
 PEM = 1.64 acres



SAWTOOTH LAKE MIXED USE MIDDLETON, IDAHO

FIGURE 3
 DATE: 3/15/2022

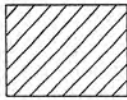
WETLAND IMPACTS SITE MAP

JAMES FRONK CONSULTING, LLC
 14028 NORWOOD RD.
 MCCALL, ID 83638
 (208) 634-8093



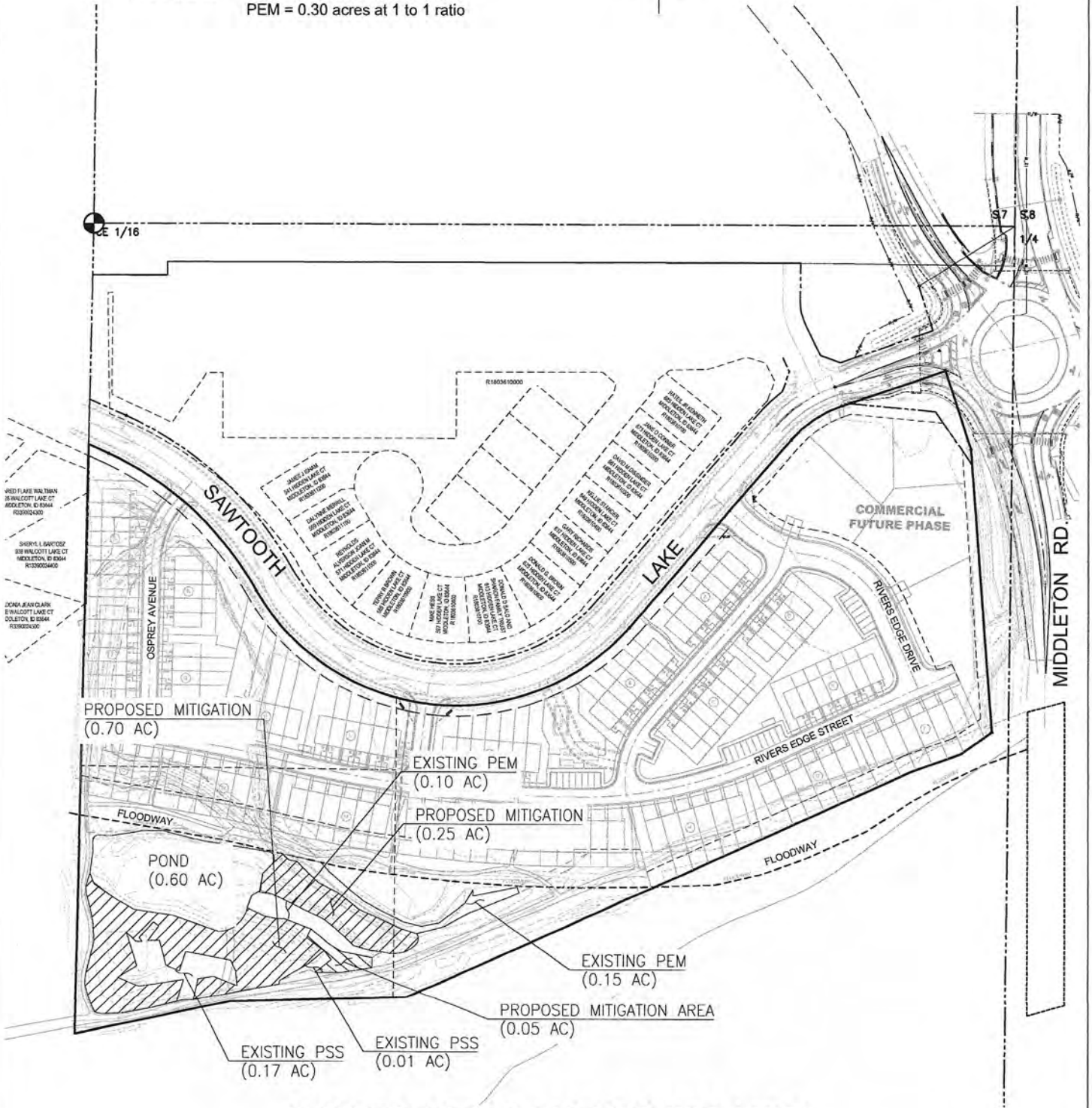
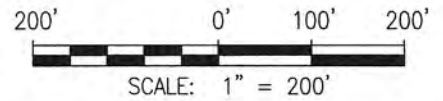
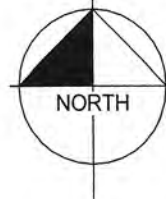
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LEGEND



PROPOSED MITIGATION

PSS = 0.70 acres at 2 to 1 ratio
 PEM = 0.30 acres at 1 to 1 ratio



SAWTOOTH LAKE MIXED USE MIDDLETON, IDAHO

FIGURE 4
 DATE: 3/15/2022

WETLAND MITIGATION PLAN

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