

**2026 Nationwide Permits
Regional Conditions
Walla Walla District Regulatory Division (State of Idaho)**

March 15, 2026

The following Nationwide Permit (NWP) regional conditions are required in the state of Idaho and apply to all 2026 NWPs.¹ 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 notes to the NWP General Conditions with local agency contact information and online resources for applicants.

The term “pre-construction notification” or “PCN” used in this document refers to a request submitted by a project proponent to the Corps for confirmation that a particular activity is authorized by NWP. A PCN may be required by the terms and conditions of an NWP (e.g., general conditions) or by regional condition.

REGIONAL CONDITIONS

A. Single and Complete Projects

- When a PCN is required for a project involving multiple phases, the applicant shall include information about previously authorized discharges of fill material into waters of the United States in order for the District to determine the “single and complete project” (defined at 33 CFR 330.2(i)) and evaluate cumulative impacts, as appropriate.
- Discharges of dredged or fill material into waters of the U.S., including wetlands, for the purpose of meeting local setback requirements are not authorized under an NWP.

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 plants.³

1 For the list of 2026 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 Idaho’s Noxious Weeds, 10th Edition, 2022, published by the University of Idaho with Idaho State Dept. of

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 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, the applicant shall contact their 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.

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.
- Designs for 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 shall be based on site-specific conditions and include a

Agriculture, Bureau of Land Management, U.S. Forest Service: <https://www.uidaho.edu/-/media/uidaho-responsive/files/extension/publications/bul/bul0816.pdf?la=en&rev=c13c535d5c0748c6be789f99dcd0a110>.

⁴ Guidelines for Electrofishing Waters Containing Salmonids Listed Under the Endangered Species Act (June 2000): <https://media.fisheries.noaa.gov/dam-migration/electro2000.pdf>

rationale for the proposed structures/features.

E. Temporary Sidecasting

- Excavated materials from trenching activities may not be temporarily sidecast into flowing waters, unless waived by the district engineer, to prevent the release of sediment. Material temporarily sidecast within waters of the U.S., including wetlands, shall be removed within 30 days, unless waived by the District. All practicable measures shall be implemented and maintained during temporary sidecasting activities within waters of the U.S, including wetlands (e.g., utilization of cofferdams, construction mats for equipment access across wetlands, sidecasting material while the ground is frozen, etc.).

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

- 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. Erosion Control

- During construction, and until the site is stabilized, the permittee shall ensure all practicable measures are implemented and maintained to prevent erosion and runoff. Temporary stockpiles of excavated or dredged material shall be stabilized to prevent erosion. Once soils or slopes have been stabilized, permittee shall completely remove and properly dispose of or re-use all non-biodegradable components of installed control measures.
- Permanent erosion control blanket or fabric used to stabilize the banks of waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless waived by the District. If non-biodegradable materials are proposed, the applicant must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety. Temporary erosion control blanket or fabric may be non-biodegradable.

H. Reporting of Wetland Credits Purchased by Federal Permittees under EO 11990

- Federal agencies with projects that require compensatory mitigation for loss of wetlands under Executive Order 11990: Protection of Wetlands, and who propose to purchase credits from an approved wetland and/or stream mitigation bank must provide proof of purchase to the Corps within 30 days of when the credits are purchased. Purchase of credits from an approved mitigation bank

⁵ Northwest Regional Sediment Evaluation Team (RSET). Sediment Evaluation Framework for the Pacific Northwest. Prepared by the RSET Agencies, finalized May 2018: <https://www.nwd.usace.army.mil/Missions/Civil-Works/Navigation/RSET/>.

must be in accordance with the Mitigation Banking Instrument of Record. This condition applies to all federal projects with wetland credit purchases, even when a PCN is not required.

REGIONAL NOTES TO THE GENERAL CONDITIONS

General Condition 4. Migratory Bird Breeding Areas. For additional information please contact the U.S. Fish and Wildlife Service at (208) 918-2155. Contact information is also available online at: <https://www.fws.gov/office/idaho-fish-and-wildlife/contact-us>.

General Condition 9. Management of Water Flows. To obtain information on the State of Idaho's definition of high water, please 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. 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/>. (Note: Use the search tool for "Storm Water Program".)

General Condition 18. Endangered Species. For information on Endangered Species Act (ESA) listed species in Idaho, please contact the U.S. Fish and Wildlife Service (USFWS) at (208) 918-2155, or the National Marine Fisheries Service (NMFS) at (208) 378-5696. The USFWS manages terrestrial and freshwater species, while the NMFS manages marine and anadromous species under the ESA. To help determine the presence of listed species and/or their critical habitat, online mapping resources are also available at:

- USFWS Information for Planning and Consultation (IPaC): <https://ipac.ecosphere.fws.gov/>.
- NMFS National ESA Critical Habitat Mapper: <https://www.fisheries.noaa.gov/resource/map/national-esa-critical-habitat-mapper>.
- NMFS Essential Fish Habitat (EFH) Mapper: <https://www.fisheries.noaa.gov/resource/map/essential-fish-habitat-mapper>.

General Condition 20. Historic Properties. 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, please contact the Idaho State Historic Preservation Office, located in Boise, Idaho, at (208) 334-3847.