

SECTION 55 - STREAM CHANNEL ALTERATION PERMITS

A. Department Roles

IDWR and IDL

The Idaho Department of Water Resources (IDWR) is responsible for permitting all stream channel alteration activities located in, on, or over waters of the state, including navigable rivers ([Idaho Code 42-38](#)). The Idaho Department of Lands (IDL) is responsible for permitting all encroachment activities located in, on, or over navigable lakes and slack waters of non-federal dam projects ([Idaho Code 58-13](#)).

Application Filing

Applications are originally filed with the IDWR. In accordance with IDL's MOU with IDWR ([Attachment 27](#)), IDWR will forward a copy of each application to the appropriate Area for review and comment. The Supervisory Area must review the applications in a timely manner and provide a written response to IDWR.

B. Application Review

The following procedures will be followed when stream channel alteration applications are submitted by IDWR to IDL for review and comment.

Identify Area

If the Area receives a stream channel alteration application that is outside its Supervisory Area, staff will forward the application to the appropriate Area.

Review Timeframe

The Area Supervisor, or his designee, will review all stream channel alteration applications within one (1) week of receipt at the Area office. Review should focus on proprietary and regulatory activities administered by IDL.

Applicability of Application

If the proposed activity does not affect endowment lands, is not administered under IDL's regulatory requirements, and is not in, on, or over a navigable waterway, then a letter will be sent to IDWR's regional office stating that our Department's review is complete and no further action is required by IDL. These applications and IDL's response shall be recorded in a logbook or in an electronic spreadsheet. The Supervisory Area shall retain the application and the response letter for one (1) year.

If the proposed activity is located on a navigable river, IDWR has lead responsibility for permitting and administration of the stream channel alteration permit. If the activity is low impact and non-permanent in nature, the Area's comment letter should request IDWR to include a term in their permit that indicates their permit constitutes a permit from IDL. The letter should also recommend that docks, launch ramps, riprap, water intake lines, utility lines, and other projects should have the same standards as those permitted under the Lake Protection Act, and the applicable standards should be listed. IDL comments must be sent to IDWR within 20 days of IDL receiving the applications ([Idaho Code 42-38](#)). These comment letters shall be retained by the Supervisory Area for at least three (3) years.

Boat Ramps

Boat ramps on navigable rivers require an easement from the Department if they allow public access. New boat ramps that lack public access will generally not be permitted. Applicants for new boat ramps must justify their need based on limited access or unusual circumstances. Private boat ramps require a submerged lands lease ([IDAPA 20.03.17.020](#)).

Easements

If the proposed activity involves utility construction, water lines that draw five (5) or more cubic feet per second, public boat ramps or other installations of a permanent nature, the Area must request that the applicant obtain an easement ([IDAPA 20.03.09.001.02](#)).

Submerged Lands Leases

If the proposed activity is commercial in nature, a community dock, a floathome, or a non-navigational activity, the Area must request that the applicant apply for and obtain a submerged land lease ([IDAPA 20.03.17.020](#)).

Riverbed Mineral Leases

If the proposed activity involves mineral extraction, the Area will refer to riverbed mineral leasing procedures for additional guidance on their comments.

Document Retention

The stream channel alteration applications and the IDL's comment letter to IDWR must be retained with IDL's original permit, lease, or easement file. The comment letter and a copy of the application shall be sent to the Program Manager in Boise.

Numbering Convention

Stream Channel Alteration Applications are numbered by IDWR, utilizing drainage units. Attached is a map of the drainage units ([Attachment 8](#)).