

**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. <b>L9585884</b>	Date Received: <b>7/20/20</b>	<input checked="" type="checkbox"/> Fee Received DATE: <b>5/20/20</b>		Receipt No.: <b>\$1,075<sup>00</sup></b> <b>CR# 21327</b>				
INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED								
<b>1. CONTACT INFORMATION - APPLICANT</b> Required:				<b>2. CONTACT INFORMATION - AGENT:</b>				
Name: John Condon				Name: Colton Carlson				
Company: North Idaho Maritime				Company: North Idaho Maritime				
Mailing Address: 4020 N Huetter rd				Mailing Address: 4020 N Huetter Rd				
City: Coeur d' Alene		State: ID	Zip Code: 83814	City: Coeur d' Alene		State: ID	Zip Code: 83814	
Phone Number (include area code): (208)664-8215		E-mail: john@northidahomaritime.com		Phone Number (include area code): (208) 664-8215		E-mail: colton@northidahomaritime.com		
3. PROJECT NAME or TITLE: Cougar Bay Winter Storage				4. PROJECT STREET ADDRESS: Cougar Bay				
5. PROJECT COUNTY: Kootenai		6. PROJECT CITY: Coeur d' Alene		7. PROJECT ZIP CODE: 83814		8. NEAREST WATERWAY/WATERBODY: CDA Lake		
9. TAX PARCEL ID#: n/a		10. LATITUDE: 47.672153 LONGITUDE: -116.812295		11a. 1/4: n/a	11b. 1/4: n/a	11c. SECTION: n/a	11d. TOWNSHIP: n/a	11e. RANGE: n/a
12a. ESTIMATED START DATE: n/a		12b. ESTIMATED END DATE: n/a		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. Take Atlas south. Left on Seltice. Right on Northwest. Right on to 95. Boat from there.								
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. The purpose of the project is to have a designated area to perform winter storage, along with a designated work area within the footprint to be in use all year round.								

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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.:

Winter Storage:

Bring floating encroachments to Cougar bay with 1-2 man crew and tugboat. They will be tied together and secured to existing pile with rope. These will be stored from October through May.

Storage are will be ~2-3 Acres as needed. The max area would be ~1000' long and ~300' wide.

Winter storage area would likely see a tug bringing in floating encroachments most evenings for about 2/3 weeks in October. Likewise, It would likely see a tug leaving the area most mornings, returning floating encroachments, for about a 2/3 week period in May.

Work Area:

Inside of the "Winter Storage Area" will be an area ~1-2 Acres in size designated as a "work area". This area will include the intermittent storage of miscellaneous docks for repair, resale, and disposal all year-round. Along with repairs this area would be suitable for assembly of modular dock sections that are built off-site. Typically a 1-2 man crew with a boat and possibly a barge would be in this area as needed.

The "work area" would see 1-2 boats w/ 2 man crew intermittently as needed through the year.

No dredging or fill material will be used at this site.

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.

- Deadheads will be avoided in transport.
- Employees will practice responsible measures while building, repairing, and demolition when needed.
- Boats will be reasonably maintained to prevent any leaks of fluids.
- All necessary infrastructure is already in place so there are no additional impacts in that regard
- Floating encroachments secured with multiple lines and additional log boom if necessary
- Floating encroachments are towed in groups of up to 4 to maximize efficiency and to limit trips through bay

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.

Mitigation plan not necessary. BMP's cover relevant hazards. Our vessels are equipped with necessary prevention and containment equipment.

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

Dirt or Topsoil: \_\_\_\_\_ 0 cubic yards  
 Dredged Material: \_\_\_\_\_ 0 cubic yards  
 Clean Sand: \_\_\_\_\_ 0 cubic yards  
 Clay: \_\_\_\_\_ 0 cubic yards  
 Gravel, Rock, or Stone: \_\_\_\_\_ 0 cubic yards  
 Concrete: \_\_\_\_\_ 0 cubic yards  
 Other (describe): \_\_\_\_\_ : \_\_\_\_\_ 0 cubic yards  
 Other (describe): \_\_\_\_\_ : \_\_\_\_\_ 0 cubic yards

TOTAL: \_\_\_\_\_ 0 cubic yards

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

Filling: \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards  
 Backfill & Bedding: \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards  
 Land Clearing: \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards  
 Dredging: \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards  
 Flooding: \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards  
 Excavation: \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards  
 Draining: \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards  
 Other: \_\_\_\_\_ : \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards

TOTALS: \_\_\_\_\_ 0 acres \_\_\_\_\_ 0 sq ft. \_\_\_\_\_ 0 cubic yards

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

There have been ongoing operations in Cougar bay for over 100 years.

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

Idaho Dept of Lands Lease B-2186

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: n/a 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

- Consult the County weed Superintendent and Avista on the distribution of aquatic invasive species and noxious weeds in travel lanes. Areas with known infestations will be avoided or treated before being disturbed by travel from the storage area to other sites on the lake.
- Employees are educated and experienced in proper vehicle maintenance.
- Vessels equipped with proper prevention and containment equipment.
- Low Pool areas to be avoided to minimize turbidity.
- Existing "deadhead" logs to remain in-tact and be avoided
- Employees will adhere to rules and regulations from relevant agencies and act in accordance with the clean water act and CDA Lake Management Plan
- Encroachment area clearly designated as no-wake zone and hazardous area due to myriad of "deadhead" logs
- Shorten tow-line to have maximum control over floating encroachments while transporting in and out of Cougar bay
- Maintain low speeds in bay to minimize turbidity
- Educate employees on positioning of deadheads in bay
- maintain consistent paths through bay to minimize disturbance

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
Winter Storage	CDA Lake	Perennial	Store floating encroachments seasonally in ~3 Acre Area	~ 650
Work Area	CDA Lake	Perennial	Intermittent storage and work area ~2 Acres in size	~ 350
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.

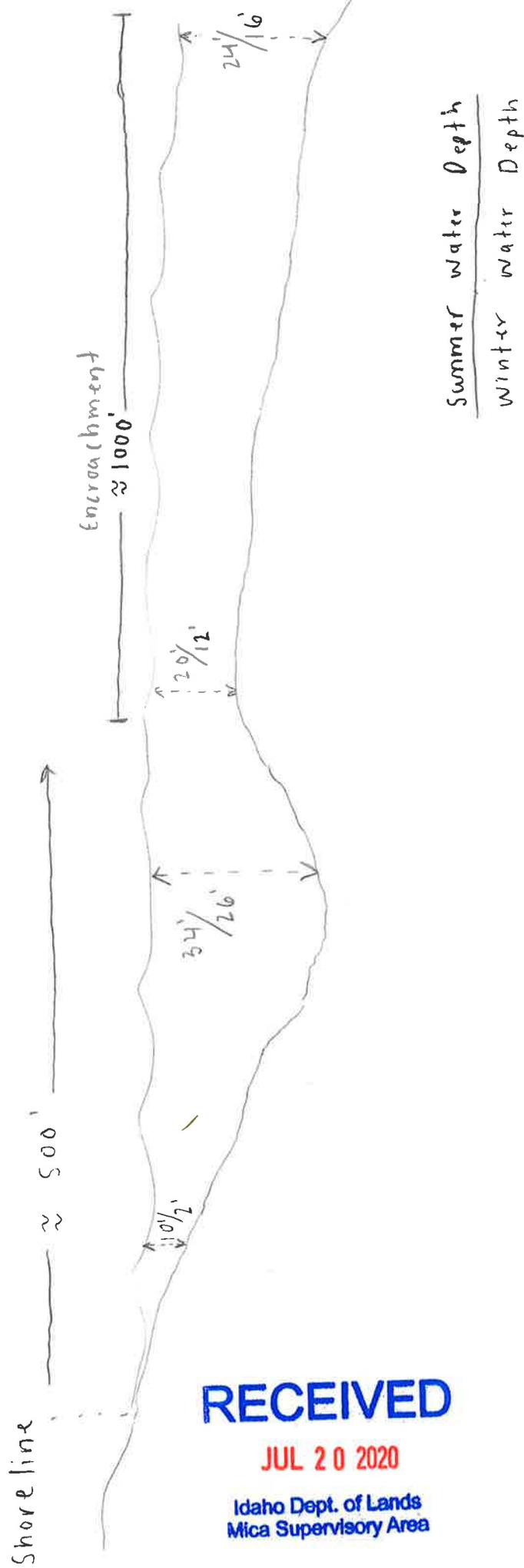
Activity	Wetland Type: Emergent, Forested, Scrub/Shrub	Distance to Water Body (linear ft)	Description of Impact Purpose: road crossing, compound, culvert, etc.	Impact Length (acres, square ft linear ft)
n/a				
TOTAL WETLAND IMPACTS (Square Feet):				

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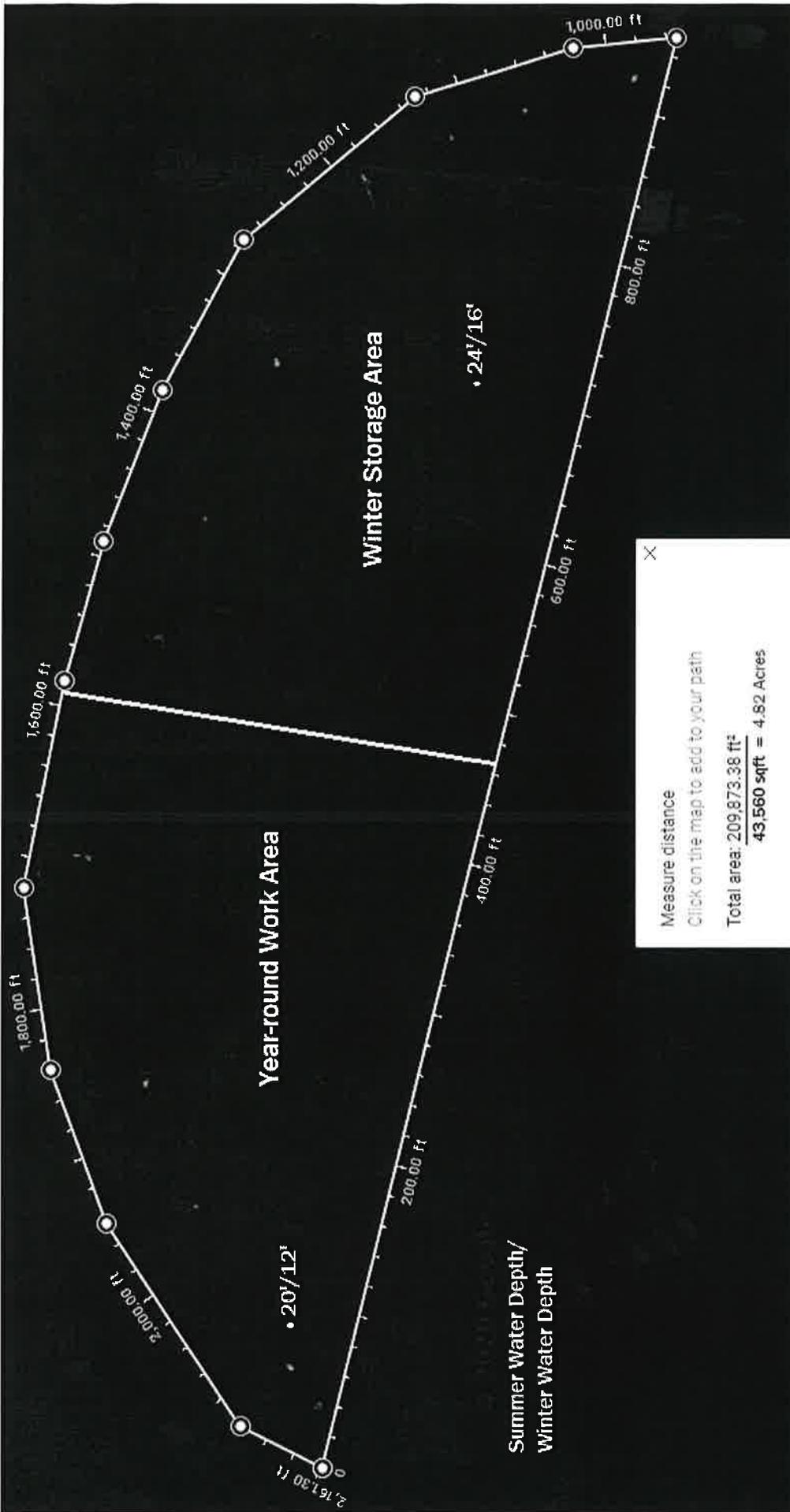
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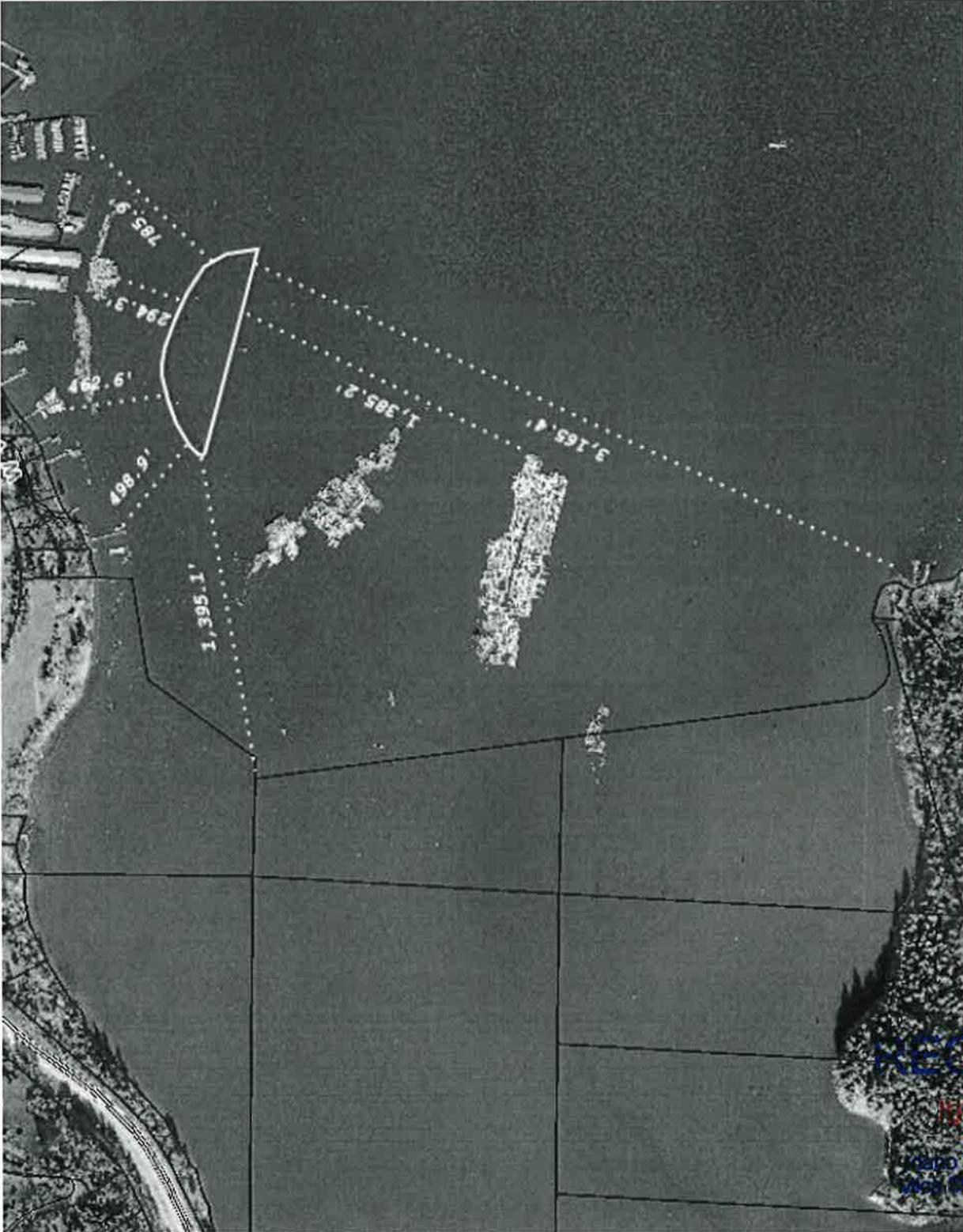
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Hawaii Dept. of Lands  
and Natural Resources  
Supervisory Area







**COMMERCIAL/COMMUNITY/NON-NAVIGATIONAL ENCROACHMENT PERMIT APPLICATION**

This information sheet and checklist must be completed when submitting an encroachment permit application. Incomplete applications will be returned without processing.

- ENCROACHMENT TYPE:** (Check all that apply)
- Community dock
  - Commercial marina
  - Bank stabilization
  - Other – describe: Winter Storage
  - Float home
  - Boat garage
  - Mooring buoy(s)

**Applicant's Littoral Rights Are:**

- Signature of littoral rights owner is obtained if applicant is not the owner of the riparian/littoral rights
- Owned, fee simple title holder
- Leased
- Other – describe: Public Trust

**Provide a Black/White Copy of Each Required Document on 8½"x14" or Smaller Paper:**

N/A

- County plat map showing both neighboring littoral lots.
- Tax record identifying the owner of the upland parcel(s)
- Lakebed profile with encroachment and water levels of winter and summer
- General vicinity map that allows Department to find the encroachment
- Scaled air photo or map showing lengths of nearby encroachments, distances to adjacent encroachments, and location and orientation of the proposed encroachment.

**Are Existing Docks or Other Encroachment(s) Permitted On This Parcel(s)?**

- No
- Yes Please attach a current photograph and a "to scale" drawing (see Document Requirements Above)

Permit # \_\_\_\_\_ Date of Construction: \_\_\_\_\_

What will happen to the existing dock or encroachment if this permit application is approved?

- Remain unchanged
- Complete removal
- Modification
- Other: \_\_\_\_\_

(Please note that old dock materials must be removed from the lake. Discarding these materials creates serious boating safety issues and offenders will be subject to prosecution and penalties.)

**How Many Feet Does the Proposed Encroachment Extend Beyond the Ordinary (or Artificial) High Water Mark?** N/A feet

**The Proposed Dock Length Is:**

- The same or shorter than the two adjacent docks
- Longer than the two adjacent docks
- Longer than the two adjacent docks, but within the line of navigability established by the majority of existing docks in the area.
- N/A feet and not located near any other docks or other encroachments.

**For Community Docks, Does the Proposed Dock Exceed the Maximum Square Footage of 7 ft<sup>2</sup> per Littoral Front Foot?**

- No Total square footage: \_\_\_\_\_ ft<sup>2</sup>
- Yes N/A

**For Community Docks, Does the Property Have at Least 50 Feet of Littoral Frontage?**

- Yes Total front footage: \_\_\_\_\_ feet
- No N/A

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**Will the Proposed Encroachment Exceed the Maximum Width of 10 Feet?**

- No

- Yes

If yes, explain why: Storage of multiple encroachments

**Will the Proposed Encroachment Be Located Closer Than 25 Feet to the Riparian/Littoral Right Lines Established With Your Neighbors?**

- No

- Yes

If yes, what are the proposed distances? \_\_\_\_\_ feet

- Consent of affected neighbor was obtained

**Determining Riparian/Littoral Right Lines**

Littoral right lines are not simple extensions of the upland property lines. Littoral right lines are generally perpendicular, or at right angles, to the shoreline. Curved shorelines or unusual circumstances may require Department Staff, or other professionals, to closely examine littoral right lines and assess the potential for infringement on adjacent littoral property owners.

John J. Conde \_\_\_\_\_ 7/20/20  
Printed Name Date

[Signature] \_\_\_\_\_  
Signature of Applicant or Agent

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