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:	☐ Incomplete Application Returned	Date Returned:
Idaho Department of Water Resources No.	Date Received:	☐ Fee Received DATE:	Receipt No.:
Idaho Department of Lands No.	Date Received:	☐ Fee Received DATE:	Receipt No.:

INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED

1. **CONTACT INFORMATION - APPLICANT** Required:			2. **CONTACT INFORMATION - AGENT:**		
Name: Gregory M. Wilson			Name:		
Company:			Company:		
Mailing Address: P.O. Box 494			Mailing Address:		
City: Greenacres	State: WA	Zip Code: 99016	City:	State:	Zip Code:
Phone Number *(include area code)*: 509-991-8575	E-mail: greg@wilsonlaw.us		Phone Number *(include area code)*:	E-mail:	

3. PROJECT NAME or TITLE: Submerged Log structure			4. PROJECT STREET ADDRESS: 32 Blackcap Lane		
5. PROJECT COUNTY: Bonner	6. PROJECT CITY: Coolin		7. PROJECT ZIP CODE: 83821	8. NEAREST WATERWAY/WATERBODY: Priest Lake	
9. TAX PARCEL ID#: RP0008700017A0A	10. LATITUDE: 48.6560 LONGITUDE: -116.8521		11a. 1/4: SE	11b. 1/4: NE	11c. SECTION: 9
11d. TOWNSHIP: 61N	11e. RANGE: 4W				
12a. ESTIMATED START DATE: June 2021	12b. ESTIMATED END DATE: August 1, 2022		13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? ☒ NO ☐ YES Tribe:		
13b. IS PROJECT LOCATED IN LISTED ESA AREA? ☒ NO ☐ YES			13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? ☒ NO ☐ YES		

14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks.

From Coolin proceed north on East Shore Rd turning left onto Diamond Park Rd, then turning left onto Black Cap Lane

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.

To permit a pre-Lake Protection Act ("LPA") submerged log structure located near the southern boundary of applicant's Lot 17A. Applicant submits two letters as supporting evidence of the pre-LPA log structure. Exhibits attached are: (1) Gary Fievez letter dated 11/20/20, and (2) Pat Phillips letter dated June 15, 2021.

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.:

Applicant believes the submerged log structure was constructed by the original Lot 17 owner, Herman "Red" Rouse in the early 1960's. The log structure is approximately 20 feet long composed of two 20 feet, 6 inch diameter cedar logs and some buried supporting dimensional lumber joining the logs by steel spikes.

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.

No work will be performed since this permit seeks to permit a Pre-LPA structure.

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.

We do not believe a mitigation plan is needed.

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:	_____	cubic yards
Concrete:	_____	cubic yards
Other (describe): _____ :	_____	cubic yards
Other (describe: _____ :	_____	cubic yards

TOTAL:_____ cubic yards

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

Filling:	_____ acres	_____ sq ft.	_____ 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: _____ acres _____ sq ft._____ 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:

L-97-S-1081B Wilson Encroachment Permit

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 jsrisdiction 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 PRACTICTES (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

We believe that there will be no impact on water quality.

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
N/A				
			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):	

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

Name: William Faloon Mailing Address: S. 6618 Tomaker Ln. City: Spokane State: WA Zip Code: 99223 Phone Number (include area code): 509-869-8652 E-mail: billofspok@aol.com	Name: Phillips Keystone Inheritance Trust Mailing Address: 2292 Tanglewood Lane City: Emmett State: ID Zip Code: 83617 Phone Number (include area code): 208-369-0483 E-mail: lmhaun8@msn.com
Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:	Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:
Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:	Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:
Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:	Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:

30. SIGNATURES: STATEMENT OF AUTHORIAZATION / CERTIFICATION OF AGENT / ACCESS

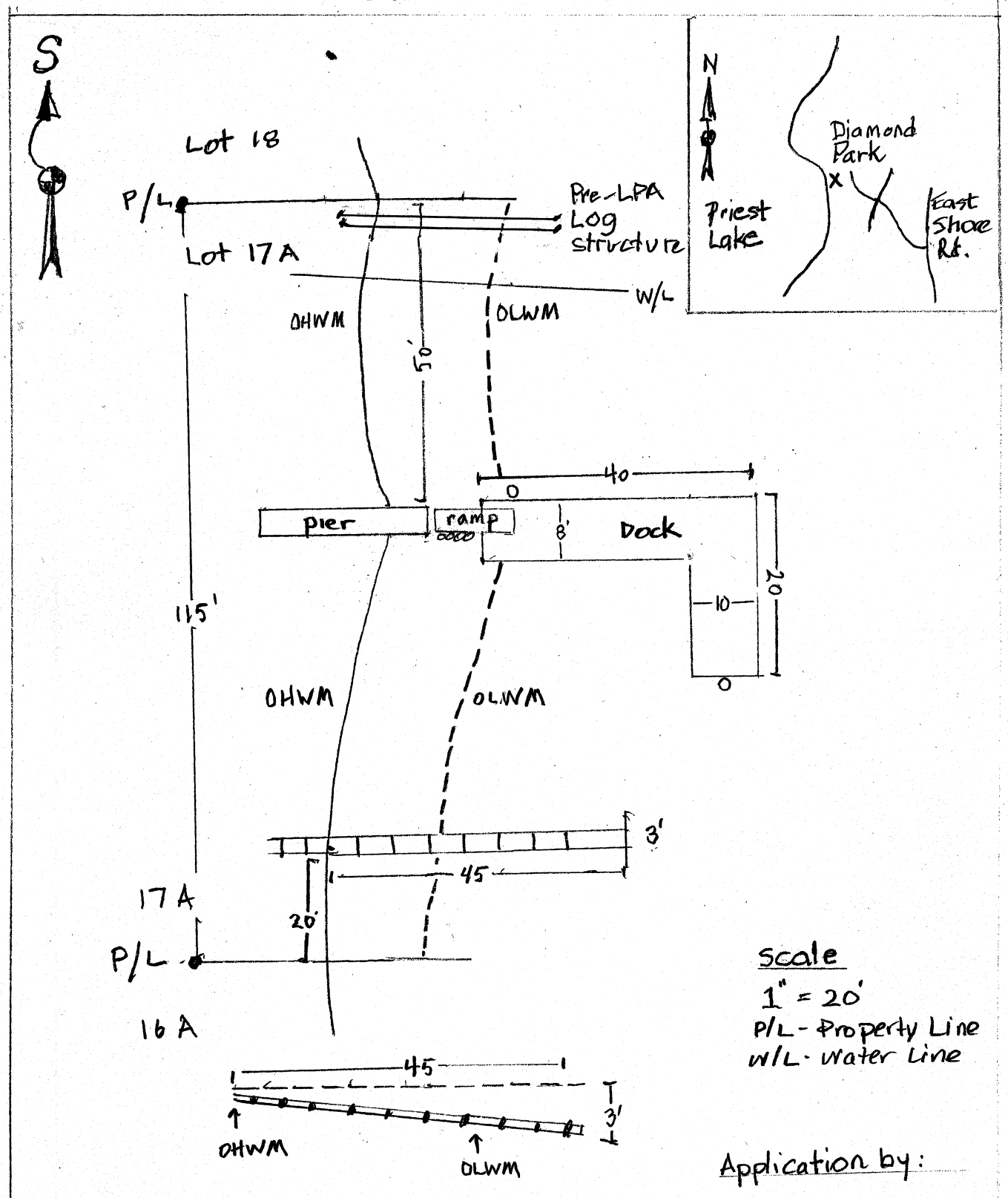
Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; 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:* 6-15-21

Signature of Agent: _____ *Date:* _____

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*".

PRE-LPA LOG STRUCTURE



Scale

1" = 20'

P/L - Property Line

W/L - Water Line

Application by:

Gregory Wilson

Parcels (1 of 2)
Parcel #: RP0008700017A0A
Owner: Wilson, Gregory M & Debra B
Instrument Number: 898581
Acres: 0.62
Tax Code Area: 0300000
Last Assessed Value: $1189653
Deed1: 898581 WD
Deed2: 874751 PL
Deed3: 633397 WD
Deed4: 633396 QC
Deed5: 572913 PR
Description: 537-Resid improv on cat 15
Legal Description: 9-61N-4W DIAMOND PARK REPLAT LOT 17A
East Pt Shore

11/24/20

To: Idaho Dept. of Lands
From: Gary Fievez

My family purchased lot 18 in Diamond Park Addition on Priest Lake in June, 1965. We sold our cabin and lot to Bill Faloon in 2002.
When we owned the lot and the cabin that we built, Lot 17 and the cabin on it were owned by Red Rouse and later by the Ellingsons. During some of this time, two cedar logs that were approximately 4-6 inches in diameter and 20 feet long were placed on the beach at the property line by the Rouses. However, there was no rock barrier or rock structure that extended from the beach into the lake. In addition, there was no erosion of our beach.

Gary Fievez
Gary Fievez

June 15, 2021

To: Idaho Department of Lands
From: Pat Phillips

My family purchased Lot 15 in the Diamond Park subdivision in the early 1960's. Our family, through a family trust, continues to own Lot 15 adjacent to Greg and Debra Wilson's two lots. Recently, Greg Wilson asked me if I had any recollection of the two cedar logs which had been placed near the south boundary of his Lot 17. I recently walked over and looked at the exposed logs.

My dad and I built our lake cabin in 1966. Then as a teenager, I recall walking the beach front from our cabin to a small creek where I would catch frogs. I recall stepping over logs on the "Red" Rouse lot 17 beach. I believe that Red may have tied up his fishing dingy to the logs.

Pat Phillips

Patrick M. Phillips