

County Planning and Zoning

Contact your county office; each county in Idaho administers Planning and Zoning permits and regulations independently. List of county contact information in Idaho:

www.idaho.gov/aboutidaho/county/

City Planning and Zoning

Many Idaho cities also have a Planning and Zoning office. List of Idaho City contact information:

www.idaho.gov/aboutidaho/cities

ID Soil and Water Conservation Districts

swc.idaho.gov

208-332-1790

650 West State Street, Rm. 145

Boise, ID 83702

Natural Resources Conservation Service

www.nrcs.usda.gov

208-378-5729

9173 W. Barnes Dr., Suite C

Boise, ID 83709-1574

Idaho Department of Environmental Quality: Water Quality Division

www.deq.idaho.gov

208-373-0502

1410 N. Hilton, Boise, ID 83706

Idaho Dept. of Water Resources (IDWR)

www.idwr.idaho.gov

208-287-4800

322 East Front Street, PO Box 83720

Boise, Idaho 83720-0098

Idaho Department of Lands (IDL)

www.idl.idaho.gov

208-334-0200

300 N. 6th Street, Suite 103, Boise, ID 83702

Idaho Association of REALTORS®

www.idahorealtors.com

208-342-3585 | 800-621-7553

10116 W. Overland Road Boise ID 83709

U-Idaho Extension Water Outreach

www.uidaho.edu/cda/idah2o

208-292-1287; 1031 N. Academic Way, Suite 242,
Coeur d'Alene, ID 83814

Idaho Department of Health and Welfare: Statewide Health Districts

<http://www.healthandwelfare.idaho.gov/Health/HealthDistricts>

Panhandle (Hayden): 208-415-5200

North-Central (Lewiston): 208-799-3100

Southwest (Caldwell): 208-455-5300

Central (Boise): 208-375-5211

South-Central (Twin Falls): 208-734-5900

Southeastern (Pocatello): 208-233-9080

Eastern (Idaho Falls): 208-522-0310

US Army Corps of Engineers (Walla Walla Division)

Idaho Field Office information:

www.nww.usace.army.mil/BusinessWithUs/RegulatoryDivision/ContactUs.aspx

Boise: 208-345-2155

Coeur d'Alene: 208-433-4475 or -4474

Idaho Falls: 208-522-1645

Walla Walla (regional office): 509-527-7150

Kootenai Tribe of Idaho

www.kootenai.org

208-267-3519

PO Box 1269, Bonners Ferry, ID, 83805

Coeur d'Alene Tribe

www.cdatribe-nsn.gov

208-686-1800

850 A St., PO Box 408, Plummer, ID 83851

Nez Perce Tribe

www.nezperce.org

208-843-7389 or -7395

PO Box 305, Lapwai, ID 83540

Shoshone-Bannock Tribes

www.shoshonebannocktribes.com

208-478-3700

PO Box 306, Fort Hall, ID 83203

Shoshone-Paiute Tribes

<http://shopaitribes.org/spt-15/>

208-759-3100

PO Box 219, Owhyee, NV, 89832

Water and Rural Residences: Helpful Guide to Septic Systems, Drinking Water, Streams, Lakes, and Floodplains

This resource guide is provided by University of Idaho Extension in consultation with a wide range of state agencies.

It is intended as a guide for realtors, home buyers, and homeowners to understand the science behind permitting processes, and which agency administers what permit program.

**University of Idaho
Extension**

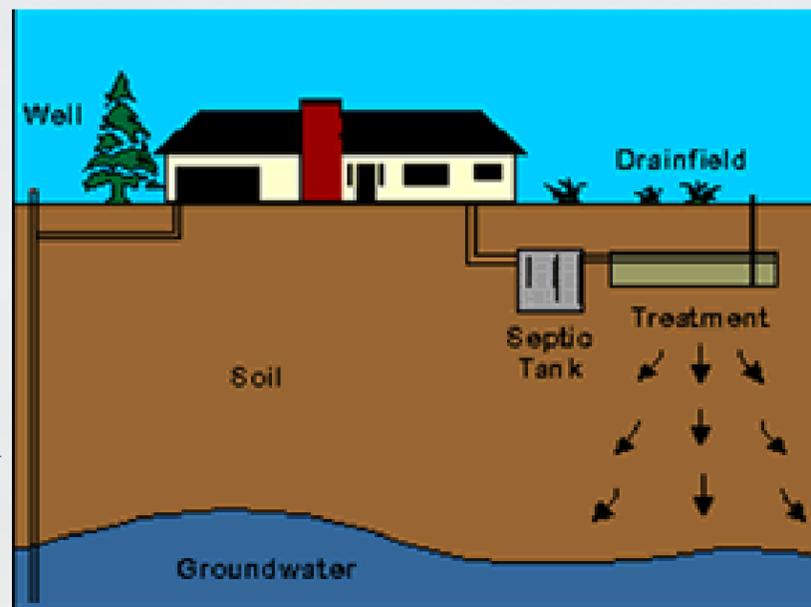
Individual Septic System Questions

Most Septic System questions can be answered by a call to your area Health District's Environmental Services:

<http://www.healthandwelfare.idaho.gov/Health/HealthDistricts>

What is a septic system?

Many rural properties do not have access to a municipal sewage collection and treatment systems. In these cases, properties are usually served by septic tanks and drainfields. For a standard home, the septic tank is 1,000 gallons. The tank separates solids and greases before the sewage effluent is distributed to the drainfield. The drainfield's purpose is to treat the sewage effluent further, before the effluent reaches groundwater and or surface water. Wet, hydric soils cannot provide that treatment. Individual septic systems are typically located on the property adjacent to the house, depending on the site conditions. Sometimes the system is located some distance from the house. Wastewater can even be pumped uphill to the closest available suitable land. If necessary, septic systems may be on a neighboring parcel, via a recorded easement.



If a parcel is served by an individual septic system installed after 1973, it is required to have a septic permit. All Idaho Health Districts can look up individual septic permits, and some have an online self-search feature. If available, a septic permit will have information on installation date, size of the system, and location of the system. If you still need assistance, call your local Health District Environmental Services Division office.

Idaho Public Health Districts and contact information is available at the following URL: <http://www.healthandwelfare.idaho.gov/Health/HealthDistricts>

Information about different systems can be found at Idaho Department of Environmental Quality's Wastewater system website:

<http://www.deq.idaho.gov/water-quality/wastewater/wastewater-systems.aspx>

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<http://www.deq.idaho.gov/water-quality/wastewater/wastewater-systems.aspx>

Where can I find a copy of the state of Idaho Subsurface Sewage Rules?

Idaho Regulation 58.01.03 – Individual/Subsurface Sewage Disposal Rules: <http://adminrules.idaho.gov/rules/current/58/index.html>

Floodplain Questions

Most floodplain questions can be answered by County Planning and Zoning offices. In addition, the Idaho Department of Water Resources floodplain manager coordinates the National Flood Insurance Program (NFIP) in Idaho. <http://idwr.idaho.gov/floods/>

What is a floodplain? What is a floodway?

A floodplain is an area with a chance of flooding in any given year. The "100-year" floodplain has a 1% chance of flooding in any given year. The "500-year" floodplain has a 0.2% chance of flooding in any given year.

The floodway lies within the floodplain, and is an extremely hazardous portion of the floodplain due to floodwater velocity, often carrying debris and causing erosion. Federal Emergency Management Administration (FEMA) further defines the floodplain and floodway as: *the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations.*

www.fema.gov/floodplain-management/floodway

Who can tell me if my lot is in a floodplain?

The Idaho Flood Hazard Interactive Mapping Tool (maps.idwr.idaho.gov/FloodHazard/Map) can help determine if your property is in a floodplain. County Planning Departments can sometimes provide floodplain and floodway determinations for properties. These departments are often repositories for US Fish and Wildlife (USFW) provisional wetland maps and FEMA flood insurance rate maps.

Your local NRCS office can provide technical and financial assistance for landowners concerned about preserving natural features such as wetlands and floodplains.

Stream Questions

I am interested in a property that is adjacent to a creek, what should I know about the property to be better informed?

Stream processes are extremely complex and dynamic; however, here are a few questions to ask the current homeowner or realtor to be better informed when considering a home for purchase:

- What is the flood history of this property?
- Where does the water go in the spring during high water flow?
- Where does the water go during rain-on-snow events in the winter?
- Are any buildings or other structures at risk of being flooded during high water, flooding, or rain-on-snow?
- Is there a loss of streamside (riparian) vegetation or streambank(s) on an annual basis due to the erosion by the stream?

If the above questions raise concern, contact the Natural Resources Conservation Service or the local Soil and Water Conservation District with any questions you might have.

How do I stabilize the creek in the yard that is eating away at my land?

There are many potential causes for consistent flooding or overflowing or erosion problems. Contact your local NRCS office for information. www.nrcs.usda.gov

As a homeowner in Idaho, there are things you can do to maintain or improve the health of the stream and riparian area adjacent to a stream: <http://ir.library.oregonstate.edu/xmlui/bitstream/handle/1957/20743/pnw557.pdf>

Lake Shoreline and Wetland Questions

Any work below the normal high water mark in a lake, creek, wetland, or river requires a permit. The exact permitting process depends on the location and situation.

- Idaho Department of Water Resources (208-287-4800) is responsible for water rights, and Stream Alteration Act activities (in simple terms, flowing water).
- Idaho Department of Lands (208-334-0200) is responsible for Lake Protection Act activities.
- The US Army Corps of Engineers (USACE) (509-527-7150) is responsible for wetlands, pilings, fill or changes in lakes and rivers.

A "Joint 404" permit application should be submitted to all three above agencies. All three agencies have the joint permit on their websites. A representative from the most pertinent agency will call you back to discuss the project and next steps.

Can I use a stream or lake for water supply?

Two permits are required to use a stream or lake as a water supply. Idaho Department of Water Resources (208-287-4800) requires an application for the right to appropriate the water, or the "water right."

Idaho Department of Lands (208-334-0200) requires a separate permit for the placement of the apparatus that will withdraw the water from the stream or lake (the intake pipe).

What is this pipe running to the lake or stream from the yard?

It may be a water intake pipe for irrigation or drinking water. Check with Idaho Department of Water Resources (208-287-4800) to determine water rights on your property. Call Idaho Department of Lands (208-334-0200) to see if there is a permit for water intake equipment.

How do I stabilize my shoreline? It is eroding.

The best thing to stabilize shorelines and stream banks is to protect the existing native vegetation, sometimes referred to as a riparian vegetated buffer. NRCS (208-378-5729) can provide technical assistance and information about the riparian vegetation and shoreline stabilization. Alteration of the shoreline of the stream or river may need a permit from the Idaho Department of Water Resources and U.S. Army Corps of Engineers. A floodplain permit may also be required from the local County Planning Department. Alteration of the shoreline of a lake may need a permit from the Idaho Department of Lands.

What is involved to build or add to a dock, or replace a dock, and proper permitting?

Idaho Department of Lands (208-334-0200) can answer these three questions, and can provide guidance on the regulations related to docks, sometimes referred to as "encroachments." It is up to the seller to prove that the dock is permitted or in compliance. The **seller must transfer the permit to purchaser.**

What is a Biological Assessment or BA? Why would I need that?

A Biological Assessment is an impact assessment for threatened and endangered species. As an example, when it comes to lake shores and many rivers and creeks in N. Idaho, critical bull trout habitat designation is the trigger for a BA. These are protected areas that get extra attention. As part of the USACE permit process for lake and stream work a BA will need to be conducted. USFWS is the authority on this issue: www.fws.gov/midwest/Endangered/section7/ba_guide.html.

Links to Licensed Septic Installers and Licensed Septage Pumpers:

www.deq.idaho.gov/media/1177/septic-system-installers.pdf

www.deq.idaho.gov/media/1178/licensed-septage-pumpers.pdf

How do I maintain a septic system?

Health Districts have published a homeowner's guide: **Care and Maintenance of your Home Septic System**, found at the following web address:

www.deq.idaho.gov/media/474190-septic_homeowners_guide.pdf

This homeowner's guide includes information on how often a septic tank should be pumped, along with additional information.

Homeowner's checklist: www.phd5.idaho.gov/Docs/EVH-Septic_System_Checklist.pdf

How do I know if a septic system isn't working properly?

From the surface, it might not be possible for the untrained eye to notice a failing or failed septic system. However, some obvious symptoms may include (but are not limited to): slow running drains or toilets, wet, mushy, spongy soil in one area, lush green grass in one area, or backed-up water in the home. If the system is failing, contact the local Health District. Depending upon the issue, the Health District may provide a list of licensed septic pumpers for the septic tank, or require an application to repair the failing septic system.

Why did the bank ask me to check my septic system?

Lenders may want assurance that properties are served by wastewater and drinking water systems that meet the current standards. Health Districts can conduct a Mortgage Survey to make that assessment. There is a fee for this service and information may be found by calling your local Health District office; in some districts the application is online.

How big does my septic system need to be?

Per Idaho Sewage Rules, sizing is based on two factors: the number of bedrooms - which determines flow, and the soil type. Finer grained soils such as clay or silt require a much larger system than those soils with larger grains, such as sands. It's important to note that suitable area must be identified for a primary drainfield and its replacement. These may take up a large portion of the property; anywhere from 600 to 3000 square feet.

I have a bare ground parcel. Do I need to locate a suitable site for the septic system before I build? I have an existing home. Can I build a patio, deck, outbuilding, sidewalk, parking area, or driveway without impacting the drainfield or the replacement area?

Placement of the house, decks and outbuildings (such as a shop, garage, barn, greenhouse) along with locations of driveways, wells, parking areas, gardens etc. must not compromise the suitable areas identified for septic. This is a critical component of your homes infrastructure and must be protected! The drainfield and replacement area must both be located at least 100 feet from a drinking water well and between 100 and 300 feet from surface water, depending on soil conditions. The surface water setback depends upon the soil type. There is a design life for septic drainfields, so a replacement area must be determined and protected.

Drinking Water Questions

Drinking Water Questions for Existing Homes

Idaho Health and Welfare (www.healthandwelfare.idaho.gov/Health/EnvironmentalHealth/WellWater/tabid/1128/Default.aspx) provides robust information about well water safety.

Idaho Department of Environmental Quality (208-373-0502) can help you with any questions about drinking water: <http://www.deq.idaho.gov/water-quality/drinking-water>

Where does the drinking water come from?

In Idaho, water for domestic use can be from a stream or river, a lake, or from an underground aquifer. Individual homes will either be on a private well or other private water system, or it will be serviced by a community water system that services many homes. A public water system is a regulated system serving water to at least 15 service connections or regularly serves an average of at least 25 persons daily at least 60 days out of the year. Typically those systems with over 9 connections are considered public drinking water systems because they likely will have a population of at least 25 persons

To understand which system the home of interest is on, ask the current homeowner (not the renter) if they get a water bill. If they do get a water bill, they may be on a regulated public water system. Ask for the contact information of the utility that sends the bill. If there is no water bill, the home is most likely on a private system, or the bill is paid for by a Homeowner's Association (HOA). Ask the HOA where the water comes from.

How do I know if the water is safe to drink?

Public water systems that are regulated by an Health District or Idaho Department of Environmental Quality must follow a rigorous water testing schedule, and they must prepare annual Consumer Confidence Reports (CCR) for their customers telling them important information about the water and any contaminants found. To know if a water system must abide by such regulations, and/or to get a copy of the CCR, contact the public water system (using the contact information from the water bill). If after talking with the public water system, you still have questions, contact Idaho Department of Environmental Quality or a Health District office. When you call, be sure to have the contact information of the public water system. Idaho Department of Environmental Quality posts water quality data for most public water systems in a searchable database. Call Idaho Department of Environmental Quality (208-373-0502) if you need assistance using the online database: www.deq.idaho.gov/water-quality/drinking-water/

Idaho Department of Environmental Quality also posts a wealth of information about public water systems: www.deq.idaho.gov/water-quality/drinking-water/pws-types/

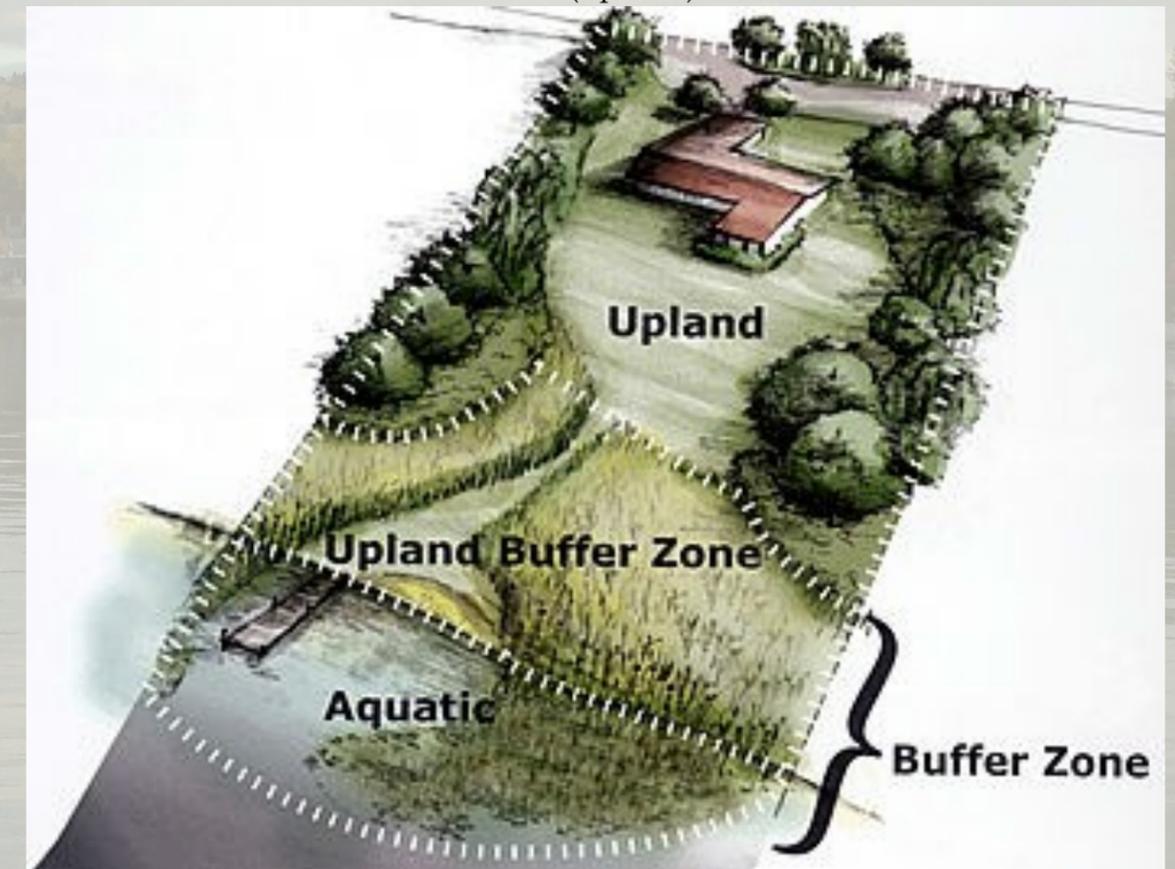
Unregulated community water systems and single family homes on a private system are not required to test their water. Therefore, the owner of the home is solely responsible for making sure that their water is safe to drink. This is done by having their water tested by a certified lab. Domestic water should be tested annually for nitrate and coliform bacteria. Health Districts can provide a well water test as a part of a Mortgage Survey for a fee.

Additional information about testing a private well is provided by Idaho Department of Health and Welfare: www.healthandwelfare.idaho.gov/Health/EnvironmentalHealth/WellWater/tabid/1128/Default.aspx

Protecting the Riparian Buffer



Lakeshore Home with lacustrine (riparian) buffer, view, and lake access.



Used with permission: ©Minnesota Department of Natural Resources

Building, Land Use Permit, and Site Design Questions

Most questions about building location permits, new construction, setbacks, impervious surfaces, wetlands, floodplains, zoning and allowable land uses in the unincorporated areas can be answered by your local County Planning Department. A list of county websites throughout Idaho can be found at the following website: www.idaho.gov/aboutidaho/county/

What are shoreline standards and how could they affect my plans to develop the waterfront?

Some places enact shoreline standards for buildings or structures. Shoreline standards are designed to preserve both the quality and quantity of water resources and to reduce erosion and sedimentation. They can include: shoreline setbacks and exceptions; fencing near the water; impervious surface standards, and shoreline vegetative buffers. You can call or stop by your local County Planning Department to inquire about whether shoreline standards apply in your area.

NRCS (208-378-5729) can provide technical assistance about vegetation in shoreline areas. These plants protect the bank or shore from erosion, provide food for the fish and take up excess nutrients before reaching the water body. They also enhance the natural feel of a property and can help block the view of other structures or houses. Riparian vegetation can consist of a mix of native grasses, shrubs and trees. www.nrcs.usda.gov

Where can I build a new outbuilding or fence or structure?

Setbacks from water (as with roads, sidewalks, property lines, and other boundaries) vary, depending on the proposed use of the structure and the zoning district. Some counties or municipalities have very few setbacks, while others have more. Your County Planning Department can advise you regarding setbacks and building permits.

When do I need a stormwater permit?

Stormwater is water from rain or melting snow that runs off of land and hard surfaces such as streets, parking lots, and rooftops, and picks up pollutants, such as fertilizers, dirt, pesticides, and oil and grease. Eventually, stormwater soaks into the ground or discharges to surface water (usually through storm drains), bringing the pollutants with it. A "National Pollutant Discharge Elimination Program" (NPDES) stormwater permit may be required for the following:

- Construction activities that disturb one acre or more of land, including clearing, grading, and excavation activities
- Industrial activities specifically listed by EPA
- Commercial, industrial and subdivision projects;
- Excavation of 50 cubic yards or more of rock, soil, fill, etc.

Local standards and permitting for Grading, Stormwater Management and Erosion Control standards, as applicable, can be found at your local County planning department.

I want to build on a vacant lot. Where do I get started?

Call or stop by any County Planning Department office to discuss your building plans. Planning staff will set up a permit application for you and explain development standards and required sign-offs. It is good to get an early start, since the planning process can take time. Find your county's website and planning office contact information here:

www.idaho.gov/aboutidaho/county/

Drinking Water Questions (cont.)

Idaho Department of Health and Welfare maintains a list of certified water quality labs in Idaho who can test water from a home for nitrate and coliform bacteria. Be sure to get instructions from the lab on how to take the water sample.

<http://healthandwelfare.idaho.gov/Health/Labs/CertificationDrinkingWaterLabs/tabid/1833/Default.aspx>

Are there things I can do to maintain safe drinking water?

There are important practices to follow to test a well and maintain safe drinking water for a household. Idaho Health Districts maintain a website dedicated to keeping a private well healthy:

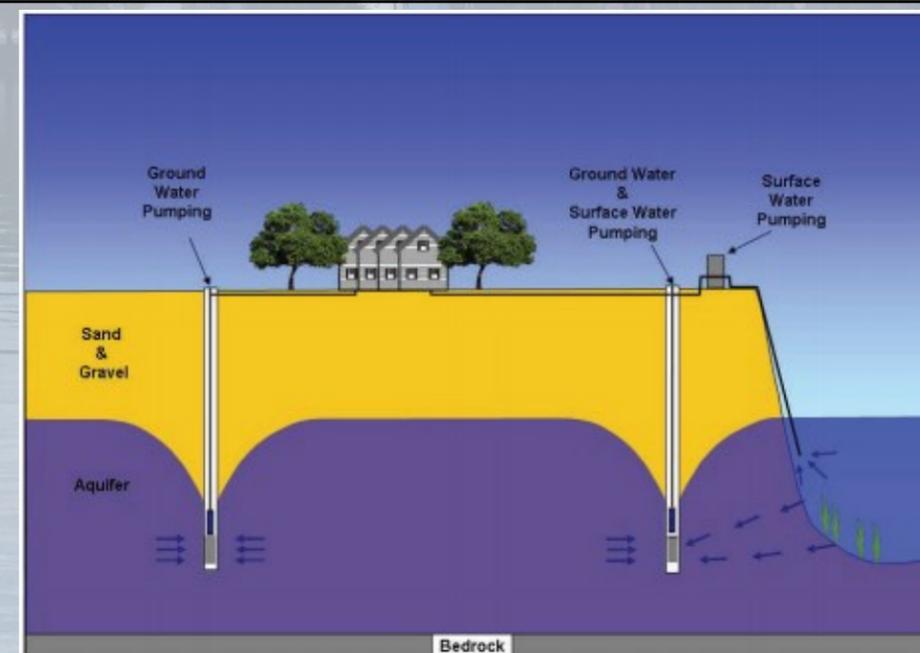
www.healthandwelfare.idaho.gov/Health/EnvironmentalHealth/WellWater/tabid/1128/ItemId/8584/Default.aspx

Idaho Department of Environmental Quality maintains a website dedicated to private well information: <http://www.deq.idaho.gov/water-quality/ground-water/private-wells.aspx>

Drinking Water Questions for Proposed Subdivisions

When Health Districts receives a Land Development application for a new subdivision (with a proposed shared well) they require proof from a licensed engineer that the well has the capacity to provide *adequate flow* for all the proposed homes and the plat must state that they are served by a shared well.

Water systems that are intended to ultimately serve a subdivision that will be classified as a public water system are required to be designed to meet public water system rules and undergo initial source monitoring. There is a time period after that when they are unregulated until enough connections are made or population served to put them into a regulated capacity.



Source: DEQ Hydrogeology: http://www.deq.idaho.gov/media/471635-drinking_water_lesson_plan.pdf

Quick Reference Guide: Who is responsible for what?

Your County Planning Department

Each County Planning Department provides different services which may or may not align exactly with the following list of those typically provided. Building location permits; subdivision & land use applications; floodplain determinations; providing county zoning and comprehensive plan maps; processing applications for subdivisions, lot line adjustments, conditional use permits, zone changes, variances and road and plat vacations, stormwater/erosion/ shoreland standards. Some counties have mapping or GIS departments within Planning, and can help landowners view aerial photographs, zoning, floodplain, wetlands and various other maps of their property. Choose your county office from a list of Idaho County contact information at the following website:

www.idaho.gov/aboutidaho/county/

Idaho Department of Environmental Quality (IDEQ) State Office: 208-373-0502

Assessment of environmental problems; oversight of facilities that generate air, water, and hazardous waste pollution; monitoring of air and water quality; cleanup of contaminated sites; and education, outreach, and technical assistance to businesses, local government agencies, and interested citizens.

www.deq.idaho.gov/regional-offices-issues.aspx

Idaho Department of Fish and Game (IDFG) 208-334-3700

Manage fish and wildlife; hunting and fishing licenses and tags: fishandgame.idaho.gov/

Idaho Department of Lands (IDL) 208-334-0200

Water supply lines in lake; bank stabilization; boat facilities; mining; bottom barriers for aquatic weed control, and forest practices www.idl.idaho.gov/lakes-rivers

Idaho Department of Parks and Recreation (IDPR) 208-334-4199

Registration: boat, snowmobile, ORV, ATV, UTV, motorbike parksandrecreation.idaho.gov

Idaho Department of Water Resources (IDWR) 208-287-4800

Water rights; waterbody/watercourse alterations; well documentation www.idwr.idaho.gov

Natural Resources Conservation Service (NRCS) 208-378-5729

The NRCS provides cost free assistance for managing natural resources on private lands. They work with landowners and operators on a voluntary, non-regulatory basis to find solutions to resource concerns and management challenges. The agency consists of expertise in a variety of disciplines including agronomy, livestock management, forestry, civil engineering, wild life biology, and water quality. www.nrcs.usda.gov/wps/portal/nrcs/site/id/home

Lake Assist (Lake Pend Oreille and vicinity) 208 263-5310 ext 103;

Lake*A*Syst (Coeur d'Alene Lake and vicinity) 208-667-5772

Offers N. Idaho lakes landowners consultation on shoreline landscaping, land use regulations, and pollution prevention techniques. Lake Pend Oreille: www.lakeassist.org. Coeur d'Alene Lake: ourgem.org/outreach.php. Other similar resources exist elsewhere.

Tribal Reservations

Some areas include Tribal Reservation lands. If you are a Reservation resident, you should contact that Tribe to find out about specific water resource and land use regulations.

Quick Reference Guide: Who is responsible for what?

Soil and Water Conservation Districts 208-332-1790

Partners with NRCS on conservation projects, assistance, and resources. Administers numerous conservation grants and projects. Located in most counties swc.idaho.gov/

Idaho Department of Health and Welfare, Public Health Division

Septic tanks/drainfields; subdivision sanitary restrictions; non-public drinking water systems. Seven regional districts serve Idaho; find your regional district office here:

www.healthandwelfare.idaho.gov/Health/HealthDistricts

University of Idaho Extension Water Education 208-292-1287

Water-related education programs and presentations for all audiences, volunteer water quality data collection program: IDAH₂O Master Water Stewards volunteer water quality monitoring program. www.uidaho.edu/cda/idah2o

US Army Corps of Engineers 509-527-7150 Wetlands; pilings; work in lakes and rivers

US Environmental Protection Agency (800) 424-4372 x2752

Storm water permits for construction on one or more acres

Wetland information

Contact NRCS for information about wetlands: 208-378-5729

Local County Planning Departments can provide information about whether a property contains wetlands.

U.S. Army Corps of Engineers 509-527-7150 is the regulatory authority regarding any proposed development near or in wetlands.

See, also, "Lake Shoreline and Wetland Questions" section on page 10 of this pamphlet.

What is a wetland?

There is not a single definition of wetland that all agencies, scientists, policymakers, or landowners use for all purposes. The following definition is sourced from the USDA Economic Research Service, Wetlands and Agriculture: Private Interests and Public Benefits; AER 765: "Land that (1) has a predominance of hydric soils; (2) is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions...."

www.ers.usda.gov/media/929199/aer765c_002.pdf

Wetlands provide a multitude of ecological, economic and social benefits. They provide habitat for fish, wildlife and a variety of plants. Wetlands are nurseries for many freshwater fishes and are also important landscape features because they hold and slowly release flood water and snow melt, recharge groundwater, recycle nutrients, and provide recreation and wildlife viewing opportunities.

How do I find out if my property is in a wetland?

NRCS can provide technical guidance regarding wetland delineation. Web resources to help determine whether land is a wetland include: USDA NRCS Web Soil Survey:

websoilsurvey.nrcs.usda.gov/app/websoilsurvey.aspx

US Fish and Wildlife Service National Wetland Inventory:

www.fws.gov/wetlands/data/mapper.HTML