Summary of DEQ's 2026 Nationwide Permit Certification Decisions

DEQ denies certification for all projects in high-quality (Class I) wetlands. To identify wetland classifications, contact the Idaho Department of Fish and Game.

NWP #	NWP Title	DEQ 401 Decision
1	Aids to Navigation	Granted
2	Structures in Artificial Canals	Granted
3	Maintenance	Granted for activities that: • Do not expand the existing permanent project footprint by more than 0.1 acre within waters of the United States. • Do not involve activities authorized by paragraph (b) of NWP 3.
4	Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities	Granted
5	Scientific Measurement Devices	Granted
6	Survey Activities	Granted
7	Outfall Structures and Associated Intake Structures	Granted
8	Oil and Gas Structures on the Outer Continental Shelf	Granted
9	Structures in Fleeting and Anchorage Areas	Granted
10	Mooring Buoys	Granted
11	Temporary Recreational Structures	Granted
12	Oil or Natural Gas Pipeline Activities	Granted for activities that: • Result in no more than 0.1 acre of permanent wetland loss. • Result in no more than 500 linear feet of permanent streambed impact.
13	Bank Stabilization	Granted for activities that: • Do not result in more than 0.1 acre of permanent loss of waters of the United States. • Do not exceed 500 linear feet of permanent streambed or streambank impact. • Do not exceed 1 cubic yard of fill per linear foot.

NWP #	NWP Title	DEQ 401 Decision
14	Linear Transportation Projects	Granted for activities that: • Do not result in more than 0.1 acre of permanent loss of waters of the United States. • Do not cause permanent loss of more than 300 linear feet of streambed.
15	US Coast Guard Approved Bridges	Granted
16	Return Water From Upland Contained Disposal Areas	Denied
17	Hydropower Projects	Granted
18	Minor Discharges	Granted
19	Minor Dredging	Granted
20	Response Operations for Oil or Hazardous Substances	Granted
21	Surface Coal Mining Activities	Granted for activities that: • Do not exceed 300 linear feet of permanent streambed loss, or • Do not result in more than 0.5 acre of permanent loss of waters of the United States.
22	Removal of Vessels	Granted
23	Approved Categorical Exclusions	Denied
24	Indian Tribe or State Administered Section 404 Program	Granted
25	Structural Discharges	Granted
27	Aquatic Ecosystem Restoration, Enhancement, and Establishment Activities	Granted
28	Modifications of Existing Marinas	Granted
29	Residential Developments	Granted for activities that: • Do not result in more than 0.1 acre of permanent loss of waters of the United States. • Do not cause permanent loss of more than 300 linear feet of streambed.
30	Moist Soil Management for Wildlife	Granted

NWP #	NWP Title	DEQ 401 Decision
31	Maintenance of Existing Flood Control Facilities	Granted
32	Completed Enforcement Actions	Granted
33	Temporary Construction, Access, and Dewatering	Granted
34	Cranberry Production Activities	Granted
35	Maintenance Dredging of Existing Basins	Granted
36	Boat Ramps	Granted
37	Emergency Watershed Protection and Rehabilitation	Granted
38	Cleanup of Hazardous and Toxic Waste	Granted
39	Commercial and Institutional Developments	Granted for activities that: • Do not exceed 300 linear feet of permanent streambed loss, or • Do not result in more than 0.5 acre of permanent loss of waters of the United States.
40	Agricultural Activities	Granted for activities that: • Do not exceed 300 linear feet of permanent streambed loss, or • Do not result in more than 0.5 acre of permanent loss of waters of the United States.
41	Reshaping Existing Drainage and Irrigation Ditches	Granted
42	Recreational Activities	Granted for activities that: • Do not exceed 300 linear feet of permanent streambed loss, or • Do not result in more than 0.5 acre of permanent loss of waters of the United States.
43	Stormwater Management Facilities	Granted for activities that: • Do not exceed 300 linear feet of permanent streambed loss, or • Do not result in more than 0.5 acre of permanent loss of waters of the United States.
44	Mining Activities	Denied

NWP #	NWP Title	DEQ 401 Decision
45	Repair of Uplands Damaged by Discrete Events	Granted
46	Discharges in Ditches	Granted
48	Commercial Shellfish Mariculture Activities	Granted
49	Coal Remining Activities	Granted for activities that: • Result in no more than 0.5 acre of permanent loss of waters of the United States.
50	Underground Coal Mining Activities	Granted for activities that: • Do not exceed 300 linear feet of permanent streambed loss, or • Do not result in more than 0.5 acre of permanent loss of waters of the United States.
51	Land-Based Renewable Energy Generation Facilities	Granted for activities that: • Do not exceed 300 linear feet of permanent streambed loss, or • Do not result in more than 0.5 acre of permanent loss of waters of the United States.
52	Water-Based Renewable Energy Generation Pilot Projects	Granted for activities that: • Do not exceed 300 linear feet of permanent streambed loss, or • Do not result in more than 0.5 acre of permanent loss of waters of the United States.
53	Removal of Low-Head Dams	Denied
54	Living Shorelines	Granted
55	Seaweed Mariculture Activities	Granted
57	Electric Utility Line and Telecommunications Activities	Granted for activities that: • Do not result in more than 0.1 acre of permanent loss of waters of the United States. • Do not exceed 500 linear feet of permanent streambed impacts.
58	Utility Line Activities for Water and Other Substances	Granted for activities that: • Do not result in more than 0.1 acre of permanent loss of waters of the United States.

NWP #	NWP Title	DEQ 401 Decision
		• Do not exceed 500 linear feet of permanent streambed impacts.
59	Water Reclamation and Reuse Facilities	Granted for activities that: • Result in no more than 0.5 acre of total loss of waters of the United States. • Result in no more than 300 linear feet of permanent streambed loss.
A	Activities to Improve Passage of Fish and Other Aquatic Organisms	Granted