



**DEPARTMENT OF THE ARMY**  
WALLA WALLA DISTRICT, CORPS OF ENGINEERS  
IDAHO FALLS REGULATORY OFFICE  
900 NORTH SKYLINE DRIVE, SUITE A  
IDAHO FALLS, IDAHO 83402-1700

REPLY TO  
ATTENTION OF

**12/04/2023**

Regulatory Division

SUBJECT: NWW-2023-00458-I04, [REDACTED] Wetland Delineation AJD Request



Dear [REDACTED]:

Enclosed is our Department of Army (DA) Approved Jurisdictional Determination (AJD) indicating there are waters of the United States, including wetlands, within your client's proposed project area. This decision is based upon our review of the information you provided and additional information available to our office. The review area is 12-acres with a center point within Section(s) 35 of Township 05 North, Range 45 East, near latitude 43.71978° N and longitude -111.103642° W, in Teton County, in Driggs, Idaho. Your request has been assigned file number NWW-2023-00458-I04, which should be referred to in future correspondence with our office regarding this site.

The wetland boundary, as shown on the attached map and dated October 11, 2023, has been approved. This decision is based upon the U.S. Army Corps of Engineers' 1987 Wetland Delineation Manual and the Arid West Region, Version 2.0 Supplement to the 1987 Delineation Manual.

The U.S. Army Corps of Engineers has determined that Wetland 1 and Ditch 6 are waters of the U.S. and that Wetland 2 and Ditches 1, 2, 3, 4, and 5 are not waters of the U.S. Section 404 of the Clean Water Act requires that a Department of the Army (DA) permit be obtained for the discharge of dredged and/or fill material into Waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344).

Please be advised that discharges considered placement of dredged or fill material under our jurisdiction may include those associated with mechanized land-clearing involving vegetation removal with equipment such as front-end loaders, backhoes, or bulldozers with sheer blades, rakes, or discs, windrowing of vegetation, land leveling, or other soil disturbances in wetlands and excavation activities which result in a discharge of dredged material that destroys or degrades a Waters of the United States.

This approved JD is valid for a period of 5-years from the date of this letter, unless new information supporting a revision is provided to this office before the expiration date. Also enclosed, you will find the Memorandum For Record (MFR) addressing wetlands and waters of the U.S. located within the JD review area, and a *Notification of Administrative Appeals Options and Process and Request for Appeal Form (RFA)* regarding this DA Approved Jurisdictional Determination. Should you disagree with certain terms and/or conditions of this DA Approved JD, the Notification of Administrative Appeal Options form outlines the steps to take to file your objection. Please note, the RFA form must be received by the Northwest Division Office no later than **February 2, 2024**.

This delineation has been conducted to identify the limits of the Corps' Clean Water Act jurisdiction for the particular site identified in this request. This delineation may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U. S. Department of Agriculture (USDA) program participants, or anticipate participation in the USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

Nothing in this letter shall be construed as excusing you from compliance with other Federal, state, or local statutes, ordinances or regulations which may affect this work.

We are interested in your thoughts and opinions concerning the quality of service you received from the Walla Walla District, Corps of Engineers Regulatory Division. Please visit us online at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey) and complete an electronic version of our Customer Service Survey form, which will be automatically submitted to us. Alternatively, you may call and request a paper copy of the survey, which you may complete and return to us by mail. For additional information about our Regulatory program please visit us at <http://www.nww.usace.army.mil/BusinessWithUs/RegulatoryDivision.aspx>. Your responses are appreciated and will allow us to improve our services.

We appreciate your cooperation with the Corps of Engineers' Regulatory Program. If you have any questions about this determination, please contact [REDACTED] by telephone at [REDACTED], by mail at the address in the above letterhead, or via email at [REDACTED].

[REDACTED]

Enclosures:

- Approved Jurisdictional Determination Form
- Notification of Administrative Appeal Options and Request for Appeal Form
- Supplemental Pre-Application Information



