



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

November 21, 2023

Regulatory Division

SUBJECT: NWW-2018-00580-I02, St Anthony 400 N Upland AJD



Enclosed is our Department of Army (DA) Approved Jurisdictional Determination (AJD) that there are no waters of the United States, including wetlands, within your proposed project area. Therefore, no DA authorization is required. This decision is based upon our review of the information your agent provided, additional information available to our office, and our October 18, 2018 site inspection. Your project site is located within Section 10 of Township 7 North, Range 40 East, near latitude 43.94196° N and longitude -111.728738° W, in Fremont County, near St. Anthony, Idaho. Your request has been assigned file number NWW-2018-580-I02, which should be referred to in future correspondence with our office regarding this site.

The DA exerts regulatory jurisdiction over waters of the United States (U.S.), including wetlands, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). Section 404 of the Clean Water Act requires a DA permit be obtained prior to discharging dredged or fill material into waters of the U.S., which includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, irrigation and drainage canals and ditches that are tributaries to other waters, and wetlands.

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 Approved Jurisdictional Determination Form 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 this 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 **January 20, 2024**.

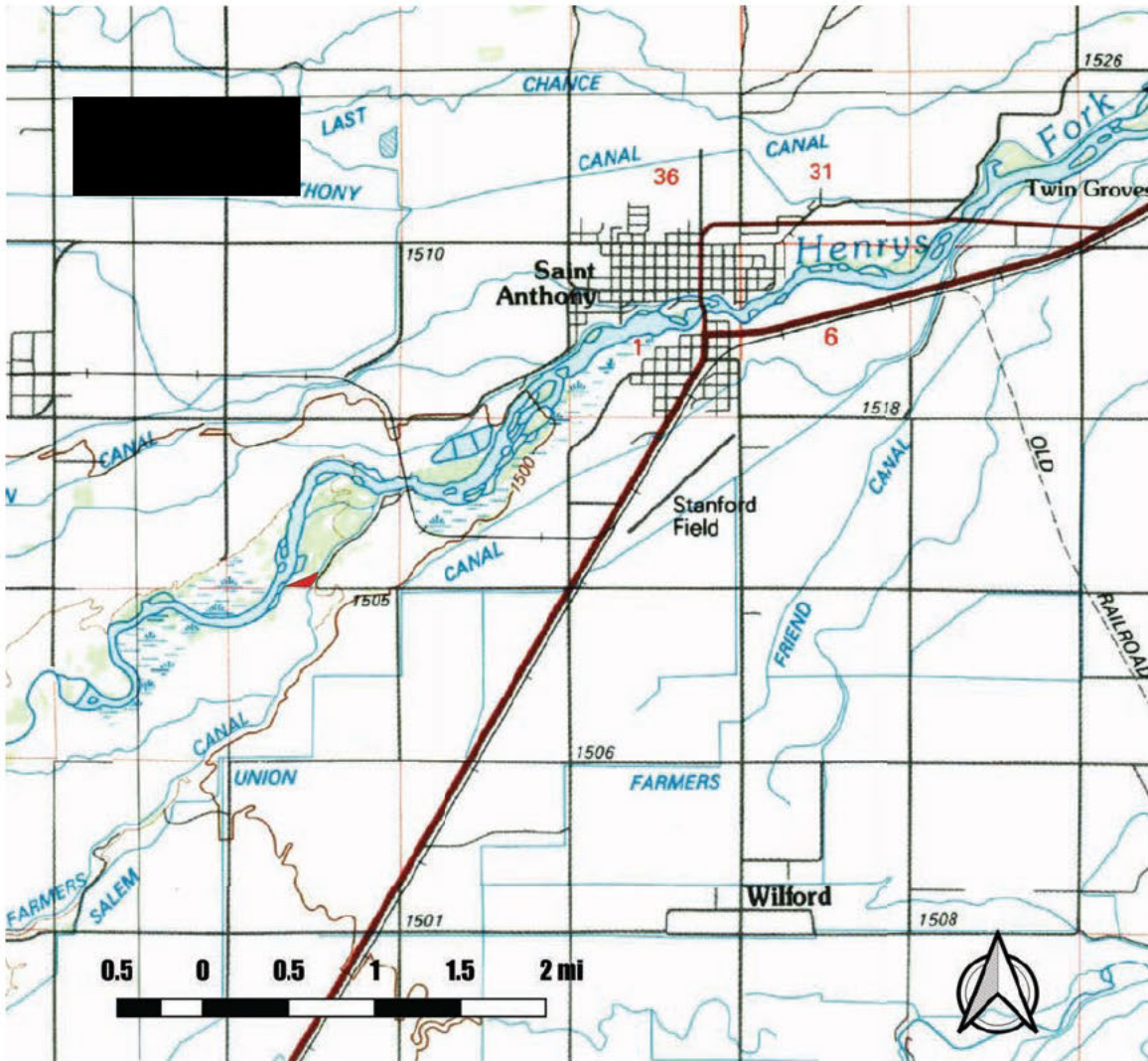
Nothing in this letter shall be construed as excusing you from compliance with other Federal, state, or local statutes, ordinances or regulations which may affect this work.

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 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.

If you have any questions about this determination, please contact me by telephone at (208) 522-1645, by mail at the address in the above letterhead, or via email at [REDACTED]. We appreciate your cooperation with the Corps of Engineers' Regulatory Program.

[REDACTED]

Enclosures:
NWW-2018-580 AJD-Appeals



1. LOCATION OF THE PROJECT.

The location of the property is shown in red above. To reach the project, take US Highway 20 north from Rexburg. Approximately 0.5-mile north of milepost 343, take E 400 N to the west (left) approximately 1.2 miles. A gate on the left (south) side of the road enables access to a farm road that travels west. Continue across the canal, and turn north (right) and continue another 600 feet to the south border of the property. The property is located in Section 10 Township 7N Range 40E. The lat/long location is 43.941841°, -111.729022°.

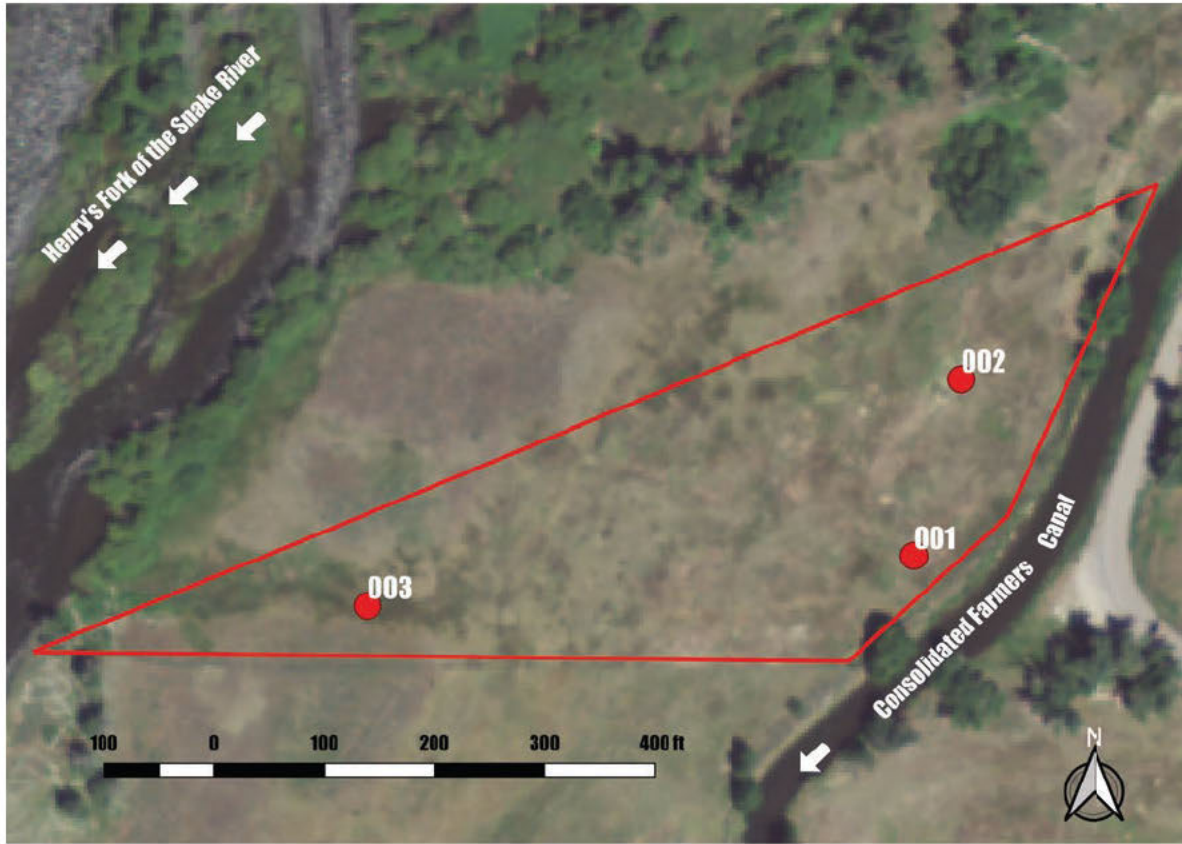


FIGURE 2. OVERVIEW OF THE PROJECT.

The approximate boundary of the property is shown outlined in black. Sampling sites are shown as red circles. All were in uplands. The aerial image was captured in September, 2015.

