



**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**

02/07/2024

Regulatory Division

SUBJECT: NWW-2017-00501-I02, [REDACTED] Access Road Improvements AJD

[REDACTED]

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 proposed project area. This decision is based upon our review of the information your agent provided and additional information available to our office. This project is located within Section 20 of Township 5 North, Range 45 East, near latitude 43.748514° N and longitude -111.166681° W, in Teton County, near Driggs, Idaho. Please refer to File Number NWW-2017-501-I02 in all future correspondence with our office regarding this project.

The wetland boundary, as flagged on the property and as shown on the enclosed GPS wetland delineation survey prepared by [REDACTED] has been approved. The wetland boundary, as shown on the attached map and dated June 26, 2017, 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 and Interim Western Mountains, Valleys, and Coast Regional Supplement(s) to the 1987 Delineation Manual.

The U.S Army Corps of Engineers has determined that W1, W2, W3, W4, W5, W6, W7, Creek 1, Creek 2, and Creek 3 are Waters of the United States, and that Relic Ditch is not a Water of the United States. 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 United States, including jurisdictional wetlands (33 U.S.C. 1344).

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 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 **April 7, 2024**.

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. Section 10 requires that a DA permit be obtained prior to building structures or conducting work in or affecting navigable waters of the U.S.

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 shear 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.

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.

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

Sincerely,

[REDACTED]
[REDACTED]

Enclosures:

- Wetland/Waters Delineation Map
- Approved Jurisdictional Determination Form
- Notification of Administrative Appeal Options and Request for Appeal Form
- Supplemental Pre-Application Information

