



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
IDAHO FALLS REGULATORY OFFICE  
900 NORTH SKYLINE DRIVE, SUITE A  
IDAHO FALLS, IDAHO 83402-1718

January 03, 2024

Regulatory Division

SUBJECT: NWW-2023-485-104, Irish Acres Sub-Division PJD Request

Cloud Veil LLC  
C/O Danielle Goodman  
Y2 Consultants, LLC  
PO Box 2870  
180 S. Willow St.  
Jackson, WY 83001

Dear Ms. Goodman:

Our preliminary jurisdictional determination (PJD) indicates your proposed project site may include Waters of the United States, including wetlands. Your proposed project site is located within Section(s) 10 of Township 05 North, Range 45 East, near latitude 43.779341° N and longitude -111.138313° W, in Teton County, near Teton, Idaho. Your request has been assigned file number NWW-2023-00485-104, which should be referred to in future correspondence with our office regarding this site.

Enclosed are two copies of the Preliminary Jurisdictional Determination Form and a map showing the approximate boundaries that may be Water(s) of the U.S., including wetlands, for the subject property. Please review the document and any attachments thereto. If you consent to jurisdiction as set forth, please sign both copies, return one copy to the Corps at the address in the above letterhead and keep the other copy for your records. This PJD shall remain in effect unless an approved jurisdictional determination is requested or new information supporting a revision is provided to this office.

Although this determination is advisory in nature and may not be appealed under the Corps of Engineers Administrative Appeal Procedures, as defined in 33 CFR 331, the enclosed *Notification of Administrative Appeal Options and Process Fact Sheet and Request for Appeal Form* (RFA) explains your options, if you do not agree with this determination.

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). Waters of the U.S. include most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, as well as irrigation and drainage canals and ditches that are tributaries to other Waters, and wetlands. A DA authorization may be required if you propose to perform

work or place dredged and/or fill material into waters or wetlands on the property.

Further, the Corps defines wetlands as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Discharges of dredged or fill material into these areas may include those associated with mechanized land-clearing involving vegetation removal with mechanized equipment such as front-end loaders, backhoes, or bulldozers with sheer blades, rakes, or discs in wetlands and excavation activities which result in the discharge of dredged material and destroy or degrade Waters of the United States.

This determination applies only to Department of the Army permitting jurisdiction and does not authorize any injury to property or excuse you from compliance with other Federal, State, or local statutes, ordinances, regulations, or requirements which may affect these areas, or work you would propose to conduct in these areas. Please obtain all required permits before starting work in the Waters or wetland areas identified on this property.

#### **CUSTOMER SERVICE**

We actively use feedback to improve our delivery and provide you with the best possible service. Please take our online customer service survey to tell us how we are doing. Follow this link to take the survey: [http://corpsmapu.usace.army.mil/cm\\_apex/?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/?p=regulatory_survey). If you have questions or if you would like a paper copy of the survey, call our office at 208-433-4464. For more information about the Walla Walla District Regulatory program, visit us online at <http://www.nww.usace.army.mil/BusinessWithUs/RegulatoryDivision.aspx>.

If you have any questions or need additional information about this permit, you can contact me at (208) 522-1645, by mail at the address in the letterhead, or email at [Brendan.V.Jones@usace.army.mil](mailto:Brendan.V.Jones@usace.army.mil).

Sincerely,



Brendan Jones  
Project Manager, Regulatory Division

Enclosures:  
Wetland/Waters Delineation Map  
Preliminary Jurisdictional Determination Form



REPLY TO  
ATTENTION OF

**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

October 26, 2021

Regulatory Division

SUBJECT: NWW-2021-547-I04, Trucco, Patrick-Irish Acres Subdivision

Patrick Trucco  
PO Box 1116  
Wilson WY 83014

Dear Mr. Trucco:

This is in response to Teton County's letter requesting comments on the proposed Irish Acres Subdivision received September 24, 2021. Thank you for providing the Corps of Engineers (Corps) the opportunity to provide comment. According to information provided, the proposed project is a ten (10) lot subdivision on 40.143 acres.

The site is located in Tetonia on W 4000 N and N 2000 W, within Section 15 of Township 5 North Range 45 East near latitude 43.138222° N and longitude -111.121555° W, in Teton County, in Idaho. Your project has been assigned Department of Army (DA) File # NWW-2021-547-I04, which should be referred to in all future correspondence.

**AUTHORITY**

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.

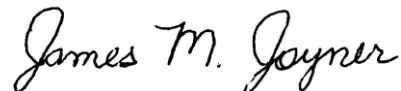
Based on our review of the information you furnished and available to our office, we have preliminarily determined that as currently proposed your project may involve work requiring DA authorization. The project area may impact waters of the U.S., including wetlands, as well as uplands areas. Therefore, a DA permit may be required for the discharge of dredged and/or fill material in wetlands and other Waters of the U.S.

If it is determined the proposed project site contains wetlands and/or waters that may be subject to Corps jurisdiction, these areas should be identified and delineated, and a map showing the location of these areas should be submitted for our review. Furthermore, if the project involves discharge of dredge and or fill material into Waters of the U.S., including wetlands, a DA permit will be required prior to start of construction and you will need to complete and submit a permit application for processing and evaluation.

Please be advised that starting work on any activities that would result in the placement of dredge and/or fill material in wetlands and/or Waters of the U.S. before obtaining a required DA permit constitutes a violation of Section 404 of the Clean Water Act and could result in legal action being taken by the Corps.

Please contact me by telephone at 208-525-7161, by mail at the address in the letterhead, or via email at [jonie.m.barg@usace.army.mil](mailto:jonie.m.barg@usace.army.mil) if you have any questions or need additional information. For informational purposes, a copy of this letter is being sent to: Teton County @ [pz@co.teton.id.us](mailto:pz@co.teton.id.us)

Sincerely,



James M. Joyner  
Sr. Project Manager, Regulatory Division