



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

August 01, 2023

Regulatory Division

SUBJECT: NWW-2015-00198, 1979 South Bates Road Utility Line/Leach Field

Millie Bates Ranch LLC
5758 West Fillmore Road
Chicago, IL 60644

To whom it may concern:

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 at 1979 South Bates Road, within Section(s) 3 of Township 4 North, Range 45 East, near latitude 43.707970° N and longitude -111.140472° W, in Teton County, near Driggs, Idaho. Your request has been assigned file number NWW-2015-00198, 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 Waters of the U.S., including wetlands, for the subject property provided to us by Alder Environmental, LLC on your behalf. 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). 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.

Please be aware, this PJD treats all wetlands and Waters on your property as Waters of the U.S. subject to Corps jurisdiction and may be submitted with a permit application for computation of impacts and compensatory mitigation requirements. The Corps concurs with the extent of wetlands and waters on your property as delineated by Alder Environmental, LLC in their enclosed report.

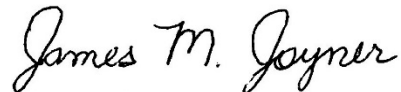
This determination applies only to Department of the Army permitting jurisdiction and does not authorize any injury to property or excuse you from compliance with other Federal, State, or local statutes, ordinances, regulations, or requirements which may affect these areas, or work you would propose 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/f?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 Caleb.j.Williams@usace.army.mil.

Sincerely,

A handwritten signature in black ink that reads "James M. Joyner". The signature is written in a cursive, slightly slanted style.

James M. Joyner
Chief, Upper Snake River and Idaho
Panhandle Branch,
Regulatory Division

Enclosures:

Preliminary Jurisdictional Determination Form
Mill Bates Ranch Aquatic Resources Inventory
Notification of Administrative Appeal Options and Request for Appeal Form