



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.

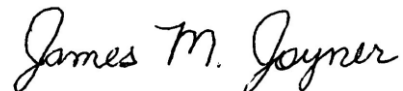
Based on our review of the information you furnished and available to our office, we have preliminarily determined that as currently proposed your project may involve work requiring DA authorization. The project area may impact waters of the U.S., including wetlands, as well as uplands areas. Therefore, 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 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

Sincerely,



James M. Joyner
Sr. Project Manager, Regulatory Division