



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

November 10, 2014

Regulatory Division

SUBJECT: NWW-2014-00525-I02

Ms. Caitlin Larson
The Development Company
299 East 4th North
Rexburg, Idaho 83440

Dear Ms. Larson:

This is in response to your 28 October 2014 letter requesting our comments on the City of Driggs proposed water system improvement project. Section 404 of the Clean Water Act (33 U.S.C. 1344) requires a Department of the Army permit be obtained for the discharge of dredged or fill material into waters of the United States. This includes most perennial and intermittent rivers and streams, natural and man-made lakes and ponds, and wetlands, as well as irrigation and drainage canals and ditches that are tributaries to other waters. Activities regulated under Section 404 include excavation and mechanized landclearing activities which result in the discharge of dredged material and destroy or degrade waters of the United States.

Based on the information provided, it appears that there are jurisdictional waters and wetlands in the project area. However, it doesn't appear that the specific project elements will involve work in areas subject to our jurisdiction and therefore a Department of the Army permit will not be required. If you have any questions concerning these regulatory matters, please contact me at letterhead address above, by telephone at 208-522-1676, or by email at james.m.joyner@usace.army.mil.

Sincerely,

James M. Joyner
Sr. Regulatory Project Manager