



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

April 18, 2017

Regulatory Division (SPK-2016-00967)

SN Midway, LLC
Attn: Mr. Lance May
10653 South River Front Parkway, Suite 140
South Jordan, Utah 84095

Dear Mr. May:

We are responding to your February 8, 2017 request for an approved jurisdictional determination for the SN Midway, River Road site. The approximately 12-acre project site is located at 235 North River Road, Latitude 40.5154°, Longitude -111.4658°, Midway, Wasatch County, Utah.

Based on available information, we concur with your aquatic resources delineation for the site, as depicted on the enclosed March 25, 2017, SN Midway "Aquatic Resources Delineation Map-Wetland Area" drawing prepared by Tom Hopkins (enclosure 1).

The 0.56-acre of wetlands and 855 linear feet of irrigation ditch identified on the above drawing are intrastate isolated aquatic resources with no apparent interstate or foreign commerce connection. As such, these aquatic resources are not currently regulated by the U.S. Army Corps of Engineers. This disclaimer of jurisdiction is only for Section 404 of the Federal Clean Water Act. We are enclosing a copy of the *Approved Jurisdictional Determination Form* for your site (enclosure 2).

This approved jurisdictional determination is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 Code of Federal Regulations (CFR) Part 331.

A *Notification of Appeal Process (NAP) and Request for Appeal (RFA) Form* is enclosed (enclosure 3). If you request to appeal this determination, you must submit a completed Request for Appeal form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESPDPDO, 1455 Market Street, 2052B, San Francisco, California 94103-1399, Telephone: 415-503-6574, FAX: 415-503-6646.

In order for a Request for Appeal to be accepted by the Corps, we must determine that the form is complete, that it meets the criteria for appeal under 33 CFR Part 331.5,

and that the form was received by the Division Office within 60 days of the date of the Notification of Appeal Process. It is not necessary to submit an RFA form to the Division Office unless you object to the determination in this letter.

We recommend you should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This approved jurisdictional determination has been conducted to identify the limits of aquatic resources subject to U.S. Army Corps of Engineers jurisdiction under Section 404 of the Clean Water Act for the particular site identified in this request.

We appreciate feedback, especially about interaction with our staff and our processes. For program information or to complete our Customer Survey, visit our website at: www.spk.usace.army.mil/Missions/Regulatory.aspx.

Please refer to identification number SPK-2016-00967 in any correspondence concerning this project. If you have any questions, please contact (b) (6) at the Bountiful Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010, by email at (b) (6)@usace.army.mil, or telephone at (801) 295-8380.

Sincerely,

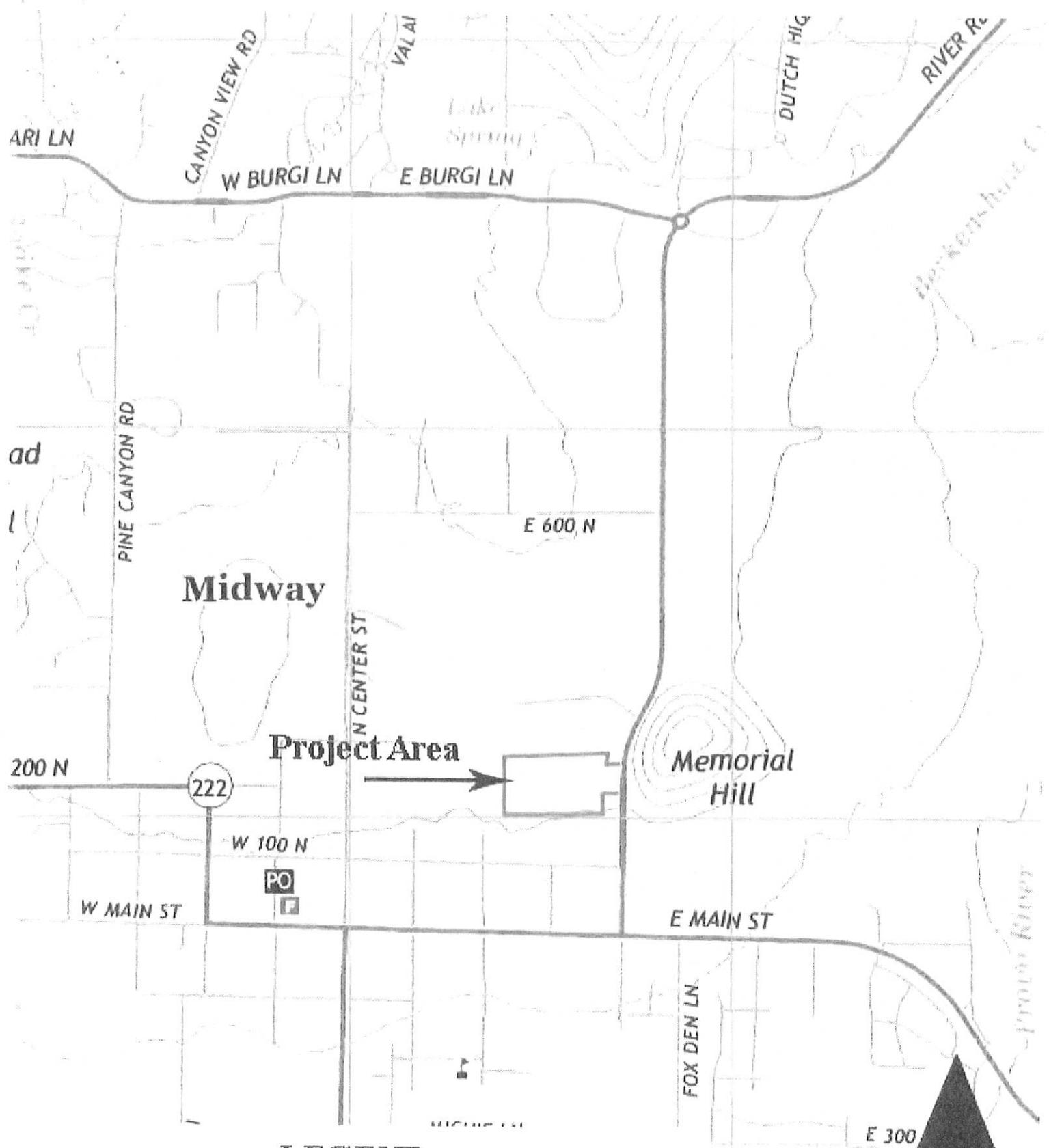
(b) (6)

Chief, Nevada-Utah Section
Regulatory Division

Enclosures

cc:

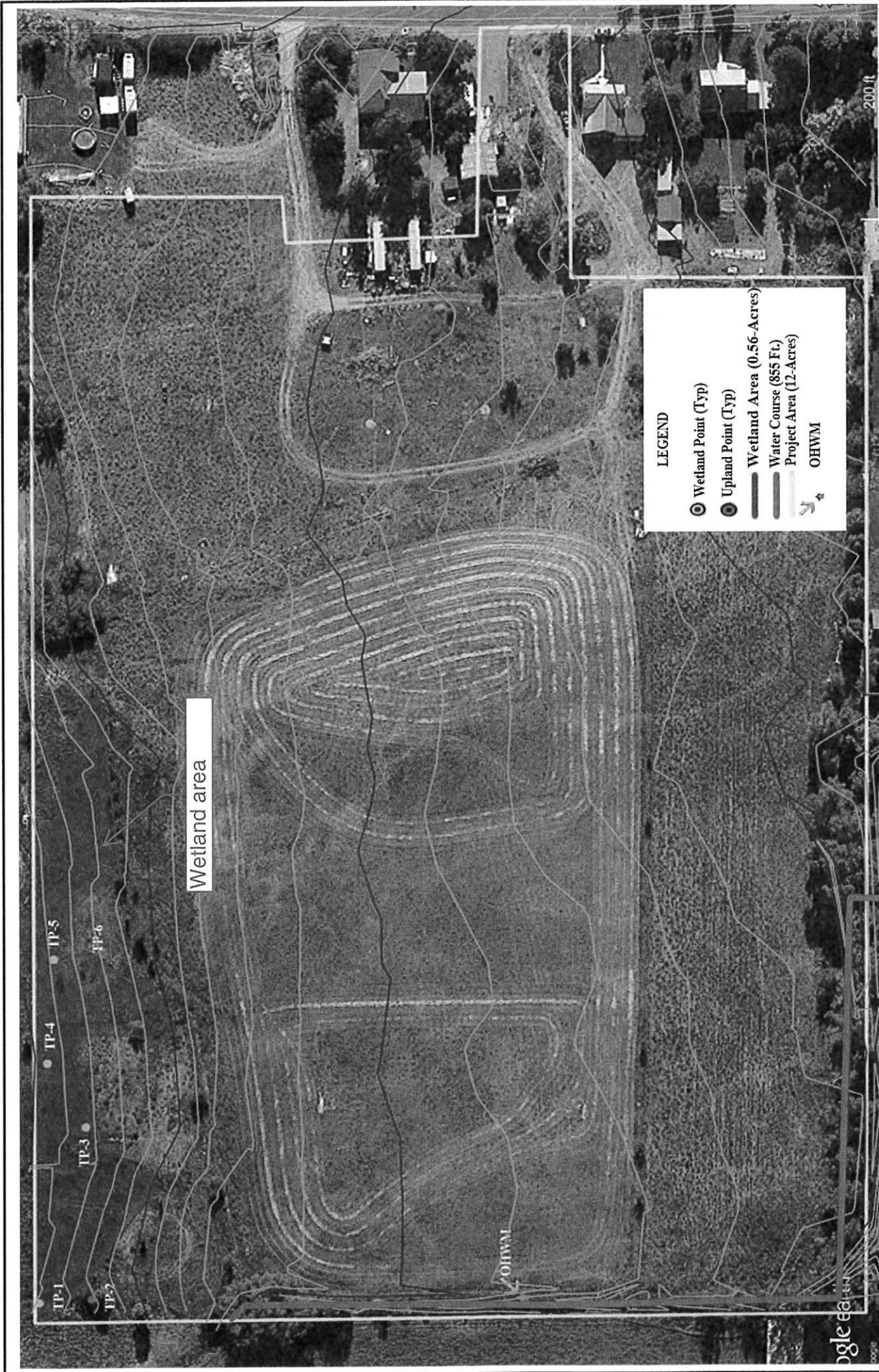
Tom Hopkins (thopkins45@outlook.com)



LEGEND

UTM Coordinates: 460529.84 mE, 4485063.77 mN
Section: 35, Township: 3S, Range: 4E SLB&M
Quad Map: Heber City, UT (2014)

N



LEGEND

- Wetland Point (Typ)
- Upland Point (Typ)
- Wetland Area (0.56-Acres)
- Water Course (855 Ft)
- Project Area (12-Acres)
- ↔ OHWM

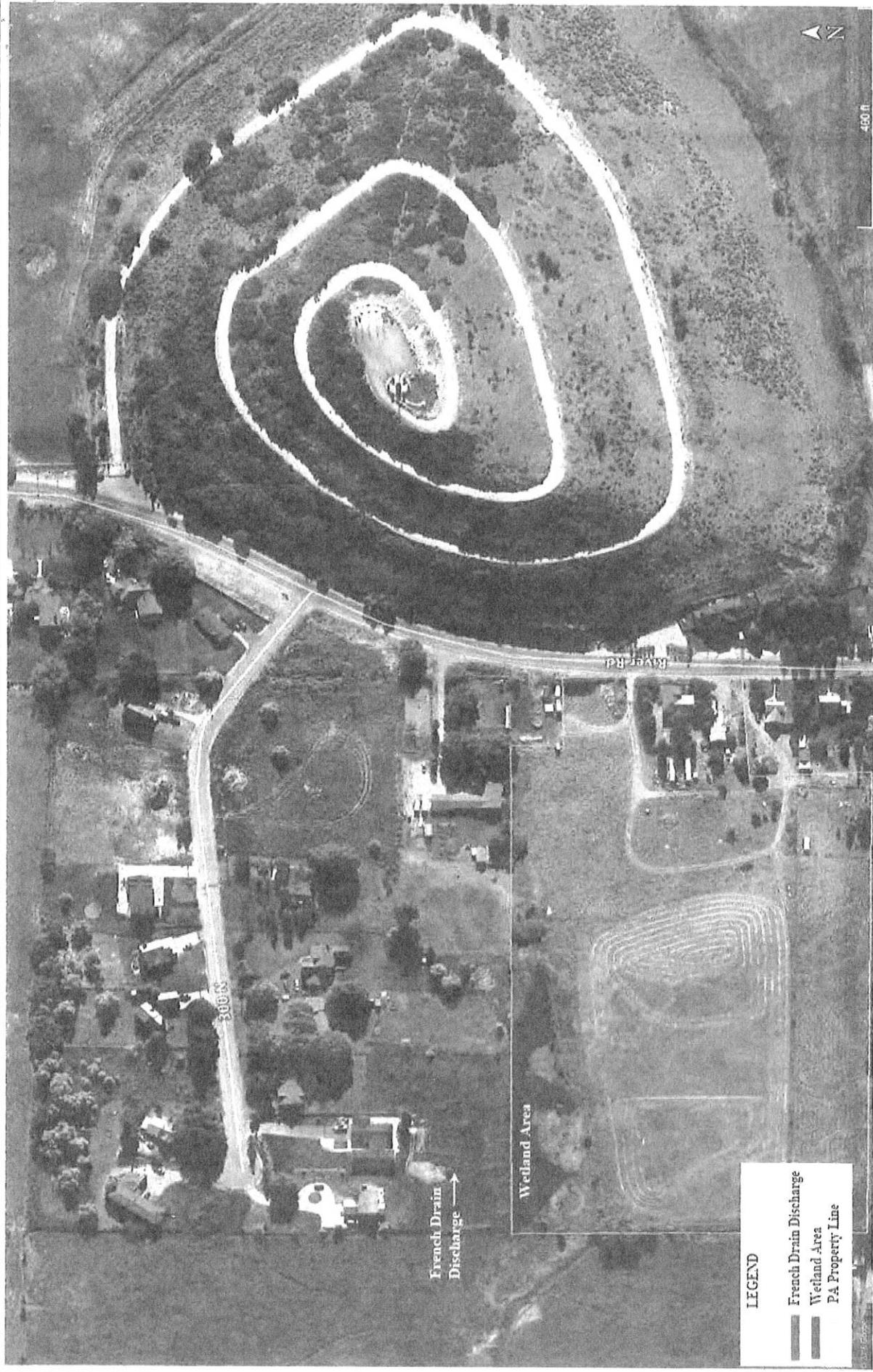
Wetland area

SN Midway LLC

235 N. River Road
 Midway, Wasatch County, Utah

Aquatic Resources Delineation Map-Wetland Area

Project: SN Midway, LLC (SPK 2016-00967)
Investigator: T. Hopkins
Date: 05/19/2016
Revision Date: 03/25/2017



<p>SN Midway Property 235 N. River Road Midway, Wasatch County, Utah</p>		<p>Project: Indian Summer</p>
<p>Groundwater Discharge Exhibit from French Drain</p>		<p>Investigator: T. Hopkins</p>
		<p>Date: 12/07/2016</p>
		<p>Revision Date:</p>

