



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

REPLY TO
ATTENTION OF

August 9, 2010

Regulatory Division (SPK-2010-00916-UO)

Jeff Durrant
Caldwell Bankers
7730 South Union Park Ave., Suite 600
Midvale, Utah 84047

Dear Mr. Durrant:

We are responding to your request for a preliminary jurisdictional determination (JD), in accordance with our Regulatory Guidance Letter (RGL) 08-02, for the Durrant Property site. The approximately 0.8-acre site is located in Midway within Section 35, Township 3 South, Range 4 East, Salt Lake Base and Meridian, Latitude 40.52°, Longitude -111.47°, Wasatch County, Utah.

Based on available information, we concur with the estimate of potential waters of the United States, as depicted on the Durrant/Midway Wetland Boundary drawing prepared by Intermountain Ecosystems. The approximately 0.405 acres of wetlands or other water bodies present within the survey area may be jurisdictional waters of the United States. These waters may be regulated under Section 404 of the Clean Water Act.

A copy of our RGL 08-02 Preliminary Jurisdictional Determination Form for this site is enclosed. Please sign and return a copy of the completed form to this office. Once we receive a copy of the form with your signature, we can accept and process a Pre-Construction Notification or permit application for your proposed project.

You should not start any work in potentially jurisdictional waters of the United States unless you have Department of the Army permit authorization. You may request an approved JD for this site at any time prior to starting work within waters. In certain circumstances, as described in RGL 08-02, an approved JD may later be necessary.

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 preliminary determination has been conducted to identify the potential limits of wetlands and other water bodies which may be subject to Corps of Engineers' jurisdiction for the particular site identified in this request. A combined Notification of Appeal Process and Request for Appeal form is enclosed to notify you of your options with this determination.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our District website under *Customer Service Survey*: <http://www.spk.usace.army.mil/regulatory.html>.

Please refer to identification number SPK-2010-00916-UO in any correspondence concerning this project. If you have any questions, please contact (b) (6) at the Utah Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010, email (b) (6)@usace.army.mil, or telephone 801-295-8380, extension 18.

Sincerely,

(b) (6)

A large black rectangular redaction box covers the signature of the sender.

Chief, Nevada-Utah Regulatory Branch

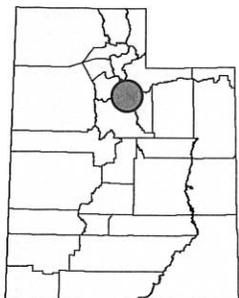
Enclosures

Copy furnished:

Ron Kass, Intermountain Ecosystems, 270 East 1230 North, Springville, Utah 84663

Durrant/Midway
Wetland Boundary over
High Resolution Imagery
T3S R4E S35 SLB&M
Wasatch County, Utah

Intermountain Ecosystems
270 East 1230 North
Springville, UT 84663



Legend

- Data Points
- One Foot Contours from 2 Meter DEM in ft ASL
- ▨ Wetland Area
- ▭ Project Boundary



