



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

RECEIVED

FEB 05 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

January 31, 2007

Regulatory Division

SUBJECT: NWW No. 063200110

Mr. Mark Palmer
Nursery Manager
Webb Landscape
162 Glendale Road
Hailey, Idaho 83333

Dear Mr. Palmer:

This is in regard to the discharge of rock riprap below the ordinary high water mark of the Big Wood River associated with the emergency bank erosion project conducted in May 2006. This work was the subject of your May 17, 2006 State of Idaho Department of Water Resources Emergency Permit Application (37-20062).

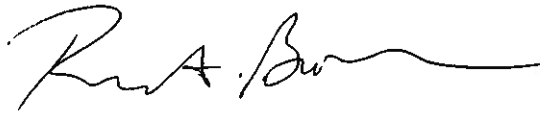
Based on our evaluation, this work would have met the terms and conditions of Department of the Army Nationwide Permit (NWP) Number 13 except you did not notify us before starting work or wait for our reply as required by General Condition 13. We completed our review of your application and have determined that your project is authorized after-the-fact under the terms and conditions of NWP 13 (33 CFR 330, Appendix A) subject to the enclosed list of conditions.

Please be advised that a Department of the Army permit is required prior to the discharge of dredged or fill material into waters of the United States, including wetlands. Failure to obtain the required permit prior to the start of work represents a violation of Section 404 of the Clean Water Act and could result in legal action.

We are interested in your thoughts and opinions concerning the quality of service you received from the Walla Walla District, Corps of Engineers Regulatory Division. If you have Internet access and are interested in letting us know how we are doing, you can complete an electronic version of our Customer Service Survey form on our web site at: <http://per2.nwp.usace.army.mil/survey.html> which will be automatically submitted to us. Alternatively, you may call and request a paper copy of the survey that you may complete and return to us by mail or fax.

If you have any questions concerning this determination or Corps jurisdiction, please contact me at 208-522-1645. A copy of this letter is being sent to Mr. Doug Howard, Regional Administrator, Idaho Department of Environmental Quality, 1363 Fillmore Street, Twin Falls, Idaho 83301; Mr. Mike McDonald, Idaho Department of Fish and Game, 319 South 417 East, Jerome, Idaho 83338; Mr. Tom Bergin, Blaine County Planning and Zoning, 219 South First Avenue, #208, Hailey, Idaho 83333-8768; and Mr. Terry Blau, Idaho Department of Water Resources, 1345 Fillmore Street, Twin Falls, Idaho 83301.

Sincerely,

A handwritten signature in black ink, appearing to read "R. A. Brochu", with a long horizontal flourish extending to the right.

Robert A. Brochu
Regulatory Project Manager

Enclosures