



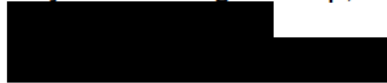
DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
IDAHO FALLS REGULATORY OFFICE
900 NORTH SKYLINE DRIVE, SUITE A
IDAHO FALLS, IDAHO 83402-1718

August 21, 2023

Regulatory Division

SUBJECT: NWW-2023-00339, Skyline Holdings PJD

Skyline Holdings Group, LLC



c/o Cleve Booker

Skyline Holdings Group LLC:

Our preliminary jurisdictional determination (PJD) indicates your proposed project site may include Waters of the United States, including wetlands. Your proposed project site is located at South 5000 West & West 2250 South, within Section 12 of Township 4 North, Range 44 East, near latitude 43.69107° N and longitude -111.207° W, in Teton County, near Driggs, Idaho. Your request has been assigned file number NWW-2023-00339, which should be referred to in future correspondence with our office regarding this site.

Enclosed are two copies of the Preliminary Jurisdictional Determination Form and map showing the approximate boundaries that may be Waters of the U.S., including wetlands, for the subject property provided to us by Cleve Booker of Booker Grey Environmental, LLC on your behalf. Please review the document and any attachments thereto. If you consent to jurisdiction as set forth, please sign both copies, return one copy to the Corps at the address in the above letterhead and keep the other copy for your records. This PJD shall remain in effect unless an approved jurisdictional determination is requested or new information supporting a revision is provided to this office.

Although this determination is advisory in nature and may not be appealed under the Corps of Engineers Administrative Appeal Procedures, as defined in 33 CFR 331, the enclosed *Notification of Administrative Appeal Options and Process Fact Sheet and Request for Appeal Form* (RFA) explains your options, if you do not agree with this determination.

Section 404 of the Clean Water Act requires that a Department of the Army (DA) permit be obtained for the discharge of dredged and/or fill material into Waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). A DA authorization may be required if you propose to perform work or place dredged and/or fill material into waters or wetlands on the property.

Further, the Corps defines wetlands as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Discharges of dredged or fill material into these areas may include those associated with mechanized land-clearing involving vegetation removal with mechanized equipment such as front-end loaders, backhoes, or bulldozers with sheer blades, rakes, or discs in wetlands and excavation activities which result in the discharge of dredged material and destroy or degrade Waters of the United States.

Please be aware, this PJD treats all wetlands and Waters on your property as Waters of the U.S. subject to Corps jurisdiction and may be submitted with a permit application for computation of impacts and compensatory mitigation requirements. The Corps concurs with the extent of wetlands and waters on your property as delineated by Alder Environmental, LLC in their enclosed report.

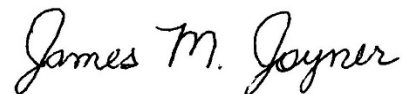
This determination applies only to Department of the Army permitting jurisdiction and does not authorize any injury to property or excuse you from compliance with other Federal, State, or local statutes, ordinances, regulations, or requirements which may affect these areas, or work you would propose to conduct in these areas. Please obtain all required permits before starting work in the Waters or wetland areas identified on this property.

CUSTOMER SERVICE

We actively use feedback to improve our delivery and provide you with the best possible service. Please take our online customer service survey to tell us how we are doing. Follow this link to take the survey: http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. If you have questions or if you would like a paper copy of the survey, call our office at 208-433-4464. For more information about the Walla Walla District Regulatory program, visit us online at <http://www.nww.usace.army.mil/BusinessWithUs/RegulatoryDivision.aspx>.

If you have any questions or need additional information about this permit, you can contact me at 208-522-1645, by mail at the address in the letterhead, or email at Caleb.j.Williams@usace.army.mil.

Sincerely,

A handwritten signature in black ink that reads "James M. Joyner". The signature is written in a cursive style with a large, prominent initial "J".

James M. Joyner
Chief, Upper Snake and Idaho Panhandle
Branch, Regulatory Division

Enclosures:

Preliminary Jurisdictional Determination Form
Skyline Holdings, Waters of the US Map Sheets 1-4
Notification of Administrative Appeal Options and Request for Appeal Form

Appendix 2 – PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD: August 21, 2023

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Cleve Booker, Booker Grey LLC, PO Box 271, Teton, ID 83452

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: NWW-2023-00339

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: Idaho County: Teton City: Driggs

Center coordinates of site (lat/long in degree decimal format):

Lat.: 43.69107° Long.: -111.207°

Name of nearest waterbody:

Mahogany Creek

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: August 21, 2023

Field Determination. Date(s): August 17, 2023

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
Mahogany Creek	See maps		2500 linear feet	Non-wetland	404
Ditch 1			1700	Non-wetland	404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.

- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre- construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
 - Map: Skyline Holdings_Waters of the US (WOTUS)_SHT 1
 - Skyline Holdings_Waters of the US (WOTUS)_SHT 2
 - Skyline Holdings_Waters of the US (WOTUS)_SHT 3
 - Skyline Holdings_Waters of the US (WOTUS)_SHT 4
- Data sheets prepared/submitted by or on behalf of the PJD requestor.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report. Rationale:
- Data sheets prepared by the Corps:
- Corps navigable waters' study:
- U.S. Geological Survey Hydrologic Atlas:
 - USGS NHD Data
 - USGS 8 and 12 digit HUC maps
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 Bates
- Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name: USFWS NWI Viewer
- State/local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth, 2021
Or Other (Name & Date):
- Previous determination(s). File no. and date of response letter:
- Other information (please specify):

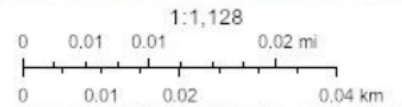
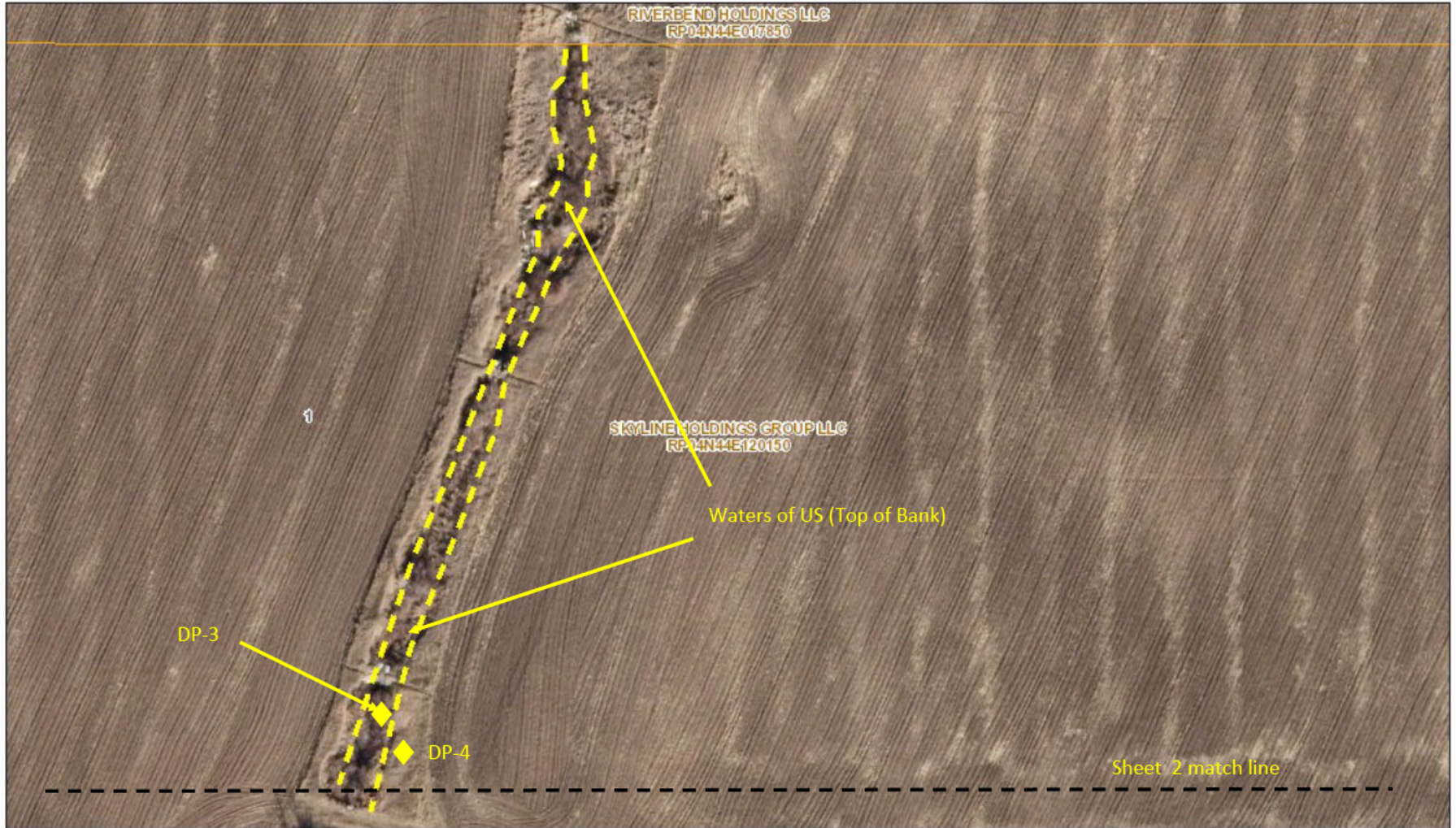
IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Signature and date of
Regulatory staff member
completing PJD

Signature and date of
person requesting PJD
(REQUIRED, unless obtaining
the signature is impracticable)¹

¹ Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

Skyline Holding_Waters of the US (WOTUS)_SHT1



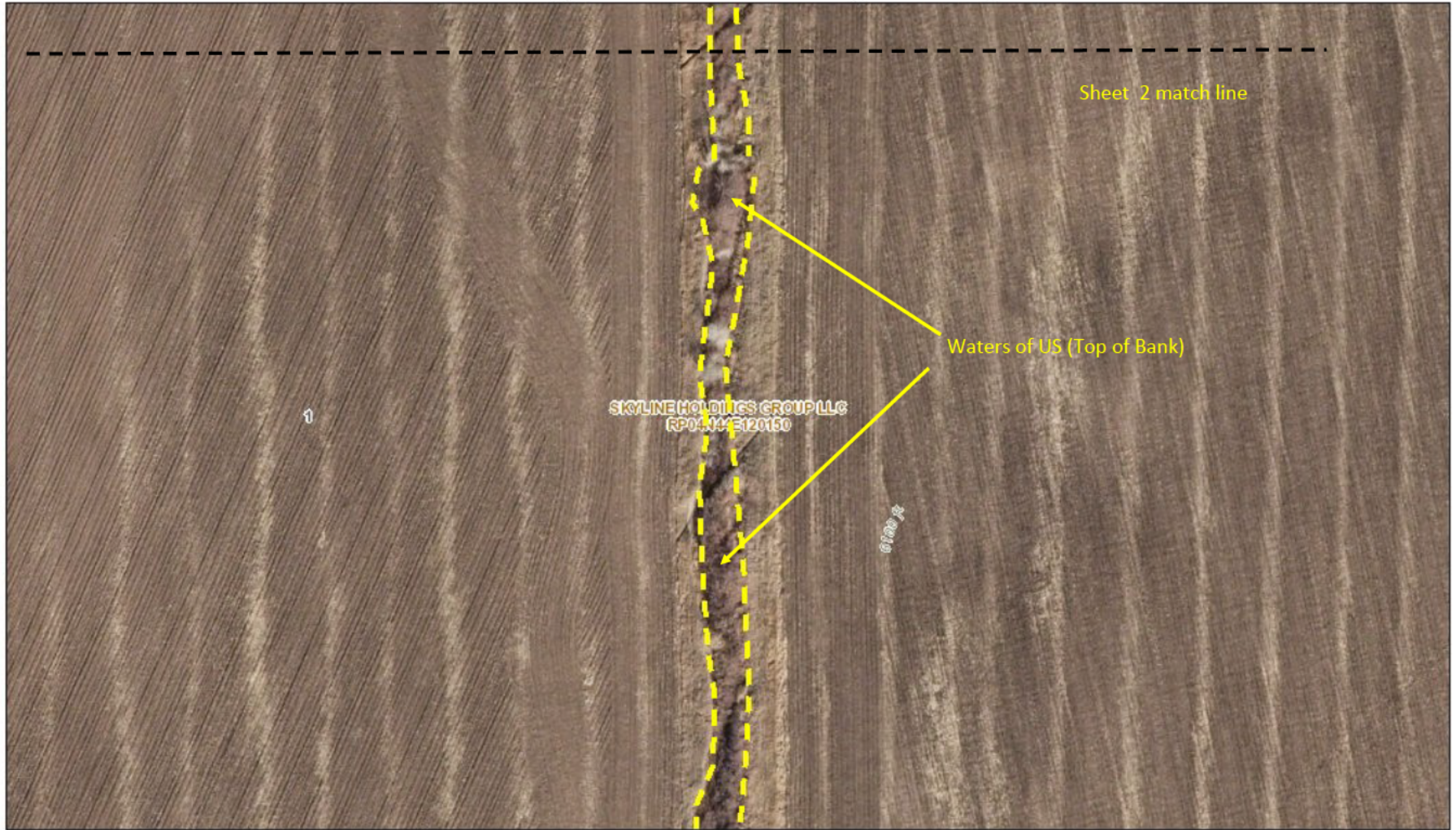
Sources: Esri, USGS, CNES/Airbus DS, InterMap, Kartverket, LINZ, NASA/METI, NASA/NGS, NLS Finland, NLSI, Ordnance Survey, SKGeodesy, Teton County Idaho GIS, Teton County, ID GIS, GIS, Aero-graphics Geospaial Services, Teton County GIS Dept, Teton County GIS

Teton County GIS

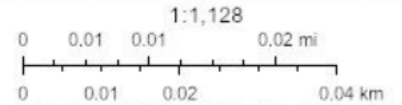
Skyline Holding_Waters of the US (WOTUS)_SHT2



Skyline Holding_Waters of the US (WOTUS)_SHT3



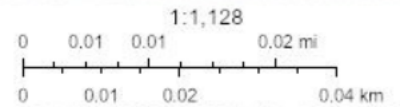
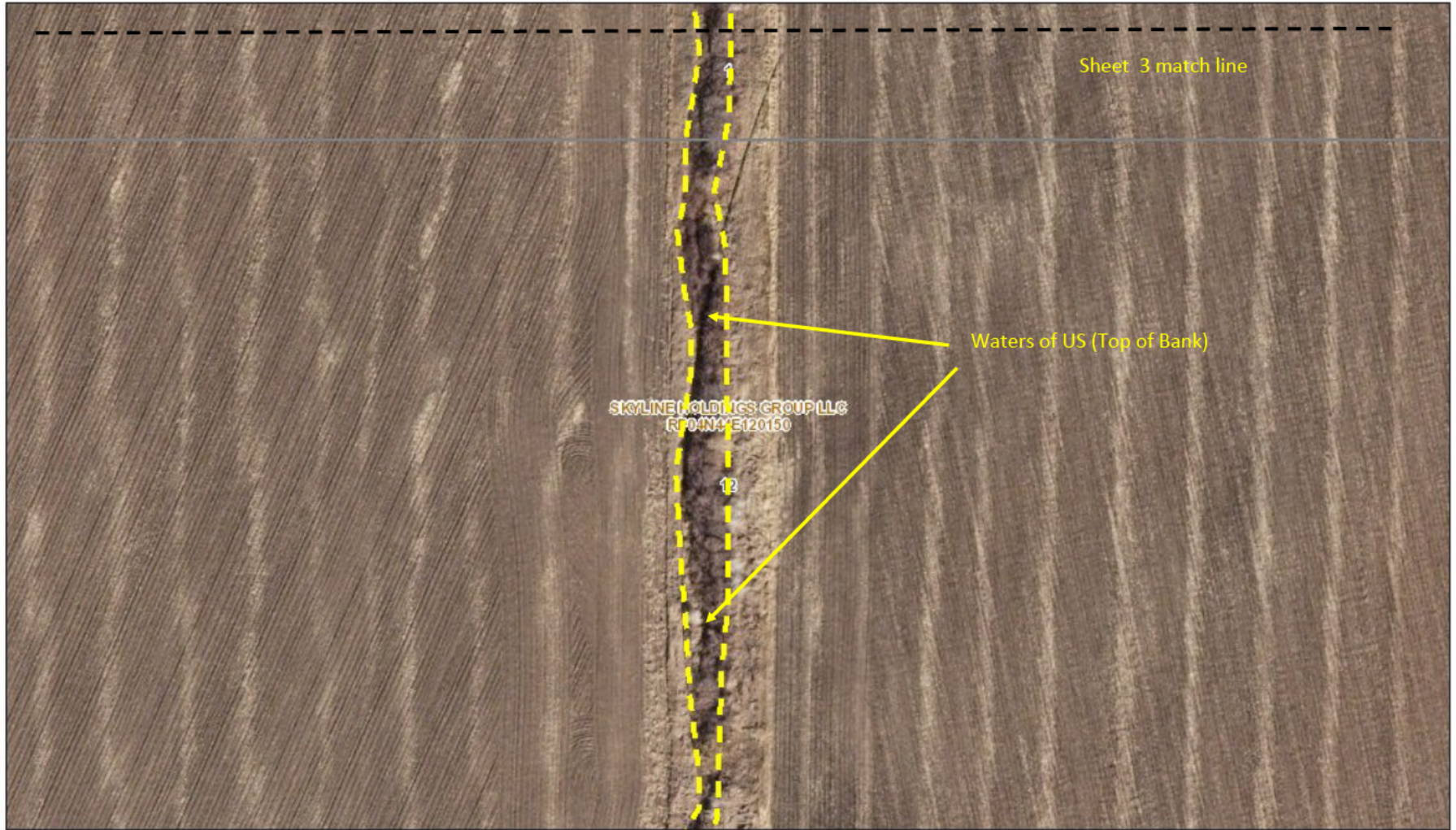
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Sources: Esri, USGS, CNES/Airbus DS, InterMap, Kartverket, LINZ, NASA/METI, NASA/NGS, NLS Finland, NLSI, Ordnance Survey, SKGeodesy, Teton County Idaho GIS, Teton County, ID GIS, GIS, Aero-graphics Geospaial Services., Teton County GIS Dept, Teton County GIS

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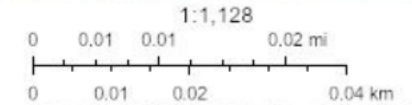
Skyline Holding_Waters of the US (WOTUS)_SHT4



Sources: Esri, USGS, CNES/Airbus DS, InterMap, Kartverket, LINZ, NASA/METI, NASA/NGS, NLS Finland, NLSI, Ordnance Survey, SKGeodesy, Teton County Idaho GIS, Teton County, ID GIS, GIS, Aero-graphics Geospaial Services, Teton County GIS Dept, Teton County GIS

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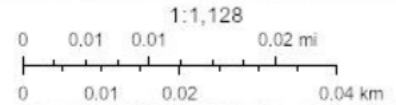
Skyline Holding_Waters of the US (WOTUS)_SHT5



Sources: Esri, USGS, CNES/Airbus DS, InterMap, Kartverket, LINZ, NASA/METI, NASA/NGS, NLS Finland, NLSI, Ordnance Survey, SKGeodesy, Teton County Idaho GIS, Teton County, ID GIS, GIS, Aero-graphics Geospaial Services, Teton County GIS Dept, Teton County GIS

Teton County GIS

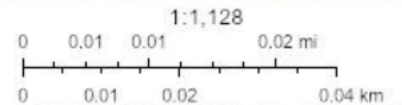
Skyline Holding_Waters of the US (WOTUS)_SHT6



Sources: Esri, USGS, CNES/Airbus DS, InterMap, Kartverket, LINZ, NASA/METI, NASA/NGS, NLS Finland, NLSI, Ordnance Survey, SKGeodesy, Teton County Idaho GIS, Teton County, ID GIS, GIS, Aero-graphics Geospaial Services, Teton County GIS Dept, Teton County GIS

Teton County GIS

Skyline Holding_Waters of the US (WOTUS)_SHT7



Sources: Esri, USGS, CNES/Airbus DS, InterMap, Kartverket, LINZ, NASA/METI, NASA/NGS, NLS Finland, NLSI, Ordnance Survey, SKGeodesy, Teton County Idaho GIS, Teton County, ID GIS, GIS, Aero-graphics Geospaial Services, Teton County GIS Dept, Teton County GIS

Teton County GIS

Skyline Holding_Waters of the US (WOTUS)_SHT8

