



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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October 6, 2010

Ref: 8EPR-EP

Colonel Robert J. Ruch  
District Commander  
U.S. Army Corps of Engineers, Omaha District  
1616 Capitol Avenue  
Omaha, Nebraska 68102-4901

Dear Colonel Ruch:

I am writing regarding the preliminary draft Clean Water Act (CWA) §404(b)(1) Guidelines analysis for the Chatfield Reallocation Project provided for review to the Environmental Protection Agency (EPA) on September 7, 2010. We appreciate the U.S. Army Corps of Engineers (Corps) work with us on this project, and acknowledge your significant effort in preparing this analysis.

In the draft CWA §404(b)(1) analysis provided in September, the Corps proposed that reallocation of storage space will not require a discharge of dredge or fill material into waters of the U.S. Based upon our review of the specific facts for the Chatfield Reallocation Project, EPA is comfortable with the approach taken by the Corps in the preliminary draft CWA §404(b)(1) analysis.

We would like to continue our ongoing collaborative efforts to formulate alternative scenarios or other means to avoid and minimize the overall environmental impacts of the project. It will be necessary to develop a comprehensive and thorough Compensatory Mitigation Plan to address unavoidable impacts of the project. The details related to monitoring, mitigation and adaptive management will be critical parts of the document for public review.

I'd like to thank you and your staff for your work with EPA on this project, and I look forward to our continued efforts. Should you have any questions, please feel free to contact me at 303.312.6308 or have your staff contact Jim Luey of my staff at 303.312.6791.

Sincerely,

Carol Rushin  
Deputy Regional Administrator