



REPLY TO  
ATTENTION OF

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

February 3, 2016

Regulatory Division (SPK-2012-01268)

Northwest Aggregates, Inc  
Attn: Roger Simmons  
2930 East U.S. Highway 40, Suite 4  
Craig, Colorado 81625

**RECEIVED**

FEB 08 2016

GRAND JUNCTION FIELD OFFICE  
DIVISION OF  
RECLAMATION MINING & SAFETY

Dear Mr. Simmons:

We are responding to your request for an after-the-fact Department of the Army permit for the Wand Pit project. The project is located adjacent to and abutting the Yampa River, 40°30'16.99" north latitude, -107°30'14.32" west longitude, in Section 4, Township 6 North, Range 90 West, approximately 2 miles east of the town of Craig, Moffat County, Colorado.

Based on the information you provided to this office, the project involves the construction of a gravel pit and associated infrastructure, in accordance with the July 29, 2016, after-the-fact notification and all subsequent correspondence. The specific activities that require the discharge of dredged or fill material in waters of the United States include portions of the mine pit and an access road used for hauling equipment and extracted material. These activities will result in the permanent loss of approximately 0.44 acres of wetlands.

We have determined activities in waters of the U.S. associated with the project are authorized by Nationwide Permit Number (NWP) 44. You must comply with all terms and conditions of the NWP, applicable regional conditions, and project-specific special conditions. Information about the NWP and regional conditions are available on our website at

[www.spk.usace.army.mil/Missions/Regulatory/Permitting/NationwidePermits.aspx](http://www.spk.usace.army.mil/Missions/Regulatory/Permitting/NationwidePermits.aspx). In addition, your work must comply with the following special conditions:

1. To compensate for unavoidable impacts to waters of the U.S., you shall construct 1.54 acres of wetland. In addition, you shall fully implement the approved mitigation plan, dated October 4, 2012, and all subsequent amendments, prepared by IME. For your reference, the final mitigation plan is attached with this letter. All mitigation construction must be completed by July 30, 2016. You shall submit monitoring reports for the created wetlands by October 1 of each year following the construction of mitigation. You shall monitor the mitigation areas until the Corps determines the attached performance standards are met for two consecutive growing seasons.

2. You shall provide recorded copies of the approved conservation easement and financial assurance documents to the Corps of Engineers no later than March 15, 2016.
3. Within 30 days after completion of the authorized work, including mitigation, you must sign the enclosed Compliance Certification and return it to this office.

This verification is valid until March 18, 2017, when the existing NWP's are scheduled to be modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date the NWP is modified, reissued, or revoked, you will have 12 months from the date of the modification, reissuance or revocation to complete the activity under the present terms and conditions. Failure to comply with the general and regional conditions of this NWP, or the project-specific special conditions of this authorization, may result in the suspension or revocation of your authorization.

We would appreciate your feedback on this permit action including your interaction with our staff. At your earliest convenience, please tell us how we are doing by completing the Corps' Regulatory Program national customer service survey found on our website at [www.spk.usace.army.mil/Missions/Regulatory.aspx](http://www.spk.usace.army.mil/Missions/Regulatory.aspx).

Please refer to identification number SPK-2012-01268 in any correspondence concerning this project. If you have any questions, please contact me at the Durango Regulatory Office, 1970 E 3rd Ave., #109, Durango, Colorado 81301, by email at [Kara.A.Hellige@usace.army.mil](mailto:Kara.A.Hellige@usace.army.mil), or telephone at 970-259-1604.

Sincerely,

HELLIGE.KARA.  
A.1230362676

Digitally signed by  
HELLIGE.KARA.A.1230362676  
DN: c=US, o=U.S. Government,  
ou=DoD, ou=PKI, ou=USA,  
cn=HELLIGE.KARA.A.1230362676  
Date: 2016.02.03 17:05:09 -07'00'

Kara A. Hellige  
Senior Project Manager, CO West Branch  
Regulatory Division

Enclosures

- 1) Compliance Certificate
- 2) Northwest Aggregates Inc Wand Gravel Pit Wetland Mitigation Map, dated November 19, 2015, prepared by IME
- 3) Mitigation Performance Measures

cc: (w/ encls)

Mr. Ted Albers, Wand, Incorporated, 701 Haughey Road, Craig, CO 81625-1041

Ms. Monica Heimdal, 8ENF-W, Water Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, U.S. Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129

Ms. Amy Yedell, Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, 101 South 3rd, Suite 301, Grand Junction, Colorado 81501

Mr. Jerry Hoberg, Moffat County Planning Department, 221 West Victory Way, Suite 110, Craig, Colorado 81625

Mr. Kent Crofts, IME, P.O. Box 270, Yampa, Colorado 80483

## COMPLIANCE CERTIFICATION

**Permit File Name:** Wand Pit

**Action ID:** SPK-2012-01268

**Nationwide Permit Number:** NWP 44

**Permittee:** Northwest Aggregates, Inc  
Attn: Roger Simmons  
2930 East U.S. Highway 40, Suite 4  
Craig, Colorado 81625

**County:** Moffat

**Date of Verification:** February 3, 2016

Within 30 days after completion of the activity authorized by this permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers  
Sacramento District  
1970 E. 3rd Ave, #109  
Durango, Colorado 81301  
*DLL-CESPK-RD-Compliance@usace.army.mil*

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the terms and conditions of the permit your authorization may be suspended, modified, or revoked. If you have any questions about this certification, please contact the U.S. Army Corps of Engineers.

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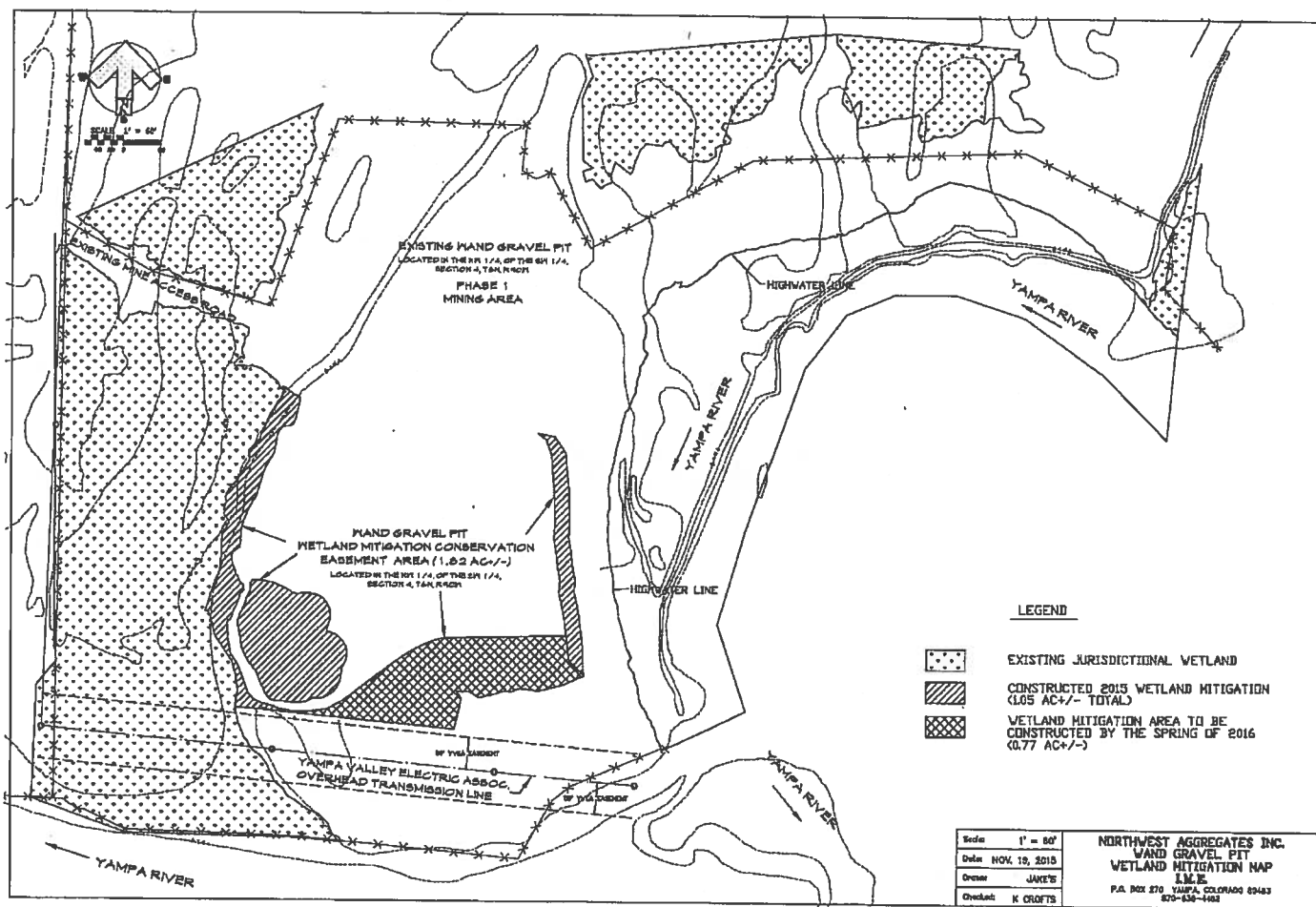
***I hereby certify that the work authorized by the above-referenced permit, including all the required mitigation, was completed in accordance with the terms and conditions of the permit verification.***

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Permittee Signature

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Date



# Attachment 12505.2 Worksheet for SPD Uniform Performance Standards for Compensatory Mitigation Requirements

1	Date: January 2016	Mitigation site name: Ward Gravel Cowardin/HGM type: PALUSTRINE, emergent, seasonal Habitat type: flooded, depressional Site coordinates: depressional wetland Center/1st endpoint: Lat: 40° 30' 17.94" N, Lon: 07° 30' 17.94" W 2nd endpoint (if linear): Lat: 40° 30' 15.68" N, Lon: 07° 30' 17.94" W	Reference site name: Ward Gravel Pft Site coordinates: Center/1st endpoint: Lat: 40° 30' 15.68" N, Lon: 07° 30' 17.94" W 2nd endpoint (if linear): Lat: 40° 30' 15.68" N, Lon: 07° 30' 17.94" W
2	Mitigation objective(s) to improve: <input checked="" type="checkbox"/> habitat conservation/biodiversity; <input type="checkbox"/> water storage/flow attenuation; <input type="checkbox"/> water quality; <input type="checkbox"/> target population of special status biota; <input type="checkbox"/> specific aquatic resource function(s); <input type="checkbox"/> other: <i>enhancement</i>		
3	Mitigation type (select one): <input checked="" type="checkbox"/> re-establishment; <input type="checkbox"/> rehabilitation; <input type="checkbox"/> enhancement		
4	If enhancement, indicate function(s) to be increased: function 1: <input type="checkbox"/> function 2 (if applicable): <input type="checkbox"/> function 3 (if applicable): <input type="checkbox"/>		
5	Primary type(s) of site treatment: <input checked="" type="checkbox"/> introduction of plant materials; <input type="checkbox"/> hydrological manipulation; <input checked="" type="checkbox"/> topographic/substrate manipulation		
6	Aquatic resource type (select one): <input type="checkbox"/> riverine; <input checked="" type="checkbox"/> depressional wetland; <input type="checkbox"/> tidal wetland; <input type="checkbox"/> slope wetland; <input type="checkbox"/> other: <i>water quality (ecological)</i>		
7	Performance standard categories (select all that apply): <input checked="" type="checkbox"/> physical; <input checked="" type="checkbox"/> hydrologic; <input checked="" type="checkbox"/> fauna; <input type="checkbox"/> flora; <input type="checkbox"/> water quality (ecological)		
Using selections from 2-6 above, insert applicable performance standards and targets from 12505.1-SPD Table of Uniform Performance Standards for Compensatory Mitigation Requirements into worksheet rows below. Add or remove rows for any category, as needed.			

Number/Categories:

Performance Standards:

Targets ("R" indicates reference):

Physical-1	The permittee shall ensure that the mitigation site provides diverse physical features including elevations lower than adjacent undisturbed wetlands.	Year 1: 100	Year 2: 100	Year 3: 100	Year 4: 100	Year 5: 100
Physical-2						
Physical-3						
Hydrologic-1	The permittee shall ensure that at least 1.82 acres of the proposed wetland mitigation area shall either be flooded during high runoff or have saturated soils for at least 60 days during the growing season	100	100	100	100	100
Hydrologic-2						
Hydrologic-3						
Flora/Fauna	The permittee shall ensure that at least 75 % of reference area absolute wetland cover is met by year 5	± 35 %	±50%	± 60 %	±75 %	± 75 %

*Current Approved Version: 8/09/2012. Printed copies are for "Information Only." The controlled version resides on the SPD OMS SharePoint Portal.*

SPD QMS

12505.2-SPD Worksheet for Uniform Performance Standards for Compensatory Mitigation Requirements

