

STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Approval of 112c Application / DPG Pit / Permit No. M-2019-028

JC York <jcyork@j-tconsulting.com>

Thu, Dec 19, 2019 at 3:02 PM

To: "Eschberger - DNR, Amy" <amy.eschberger@state.co.us>

Cc: Chris Leone <chrisleone@j2contracting.com>

Amy –

Attached is the approval from the Army Corps on the jurisdictional determination and it shows that there are no jurisdictional wetlands in the mining areas proposed. Please let me know if you have any questions.

Regards,

J.C.

J.C. York, P.E.

J&T Consulting, Inc.

305 Denver Avenue, Suite D

Fort Lupton, CO 80621

Office: (303) 857-6222

Mobile: (970) 222-9530

FAX: (303) 857-6224

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**DPG_AJD_NWO-2019-01572-Den.pdf**

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DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD
LITTLETON, COLORADO 80128-6901

December 18, 2019

**SUBJECT: Approved Jurisdictional Determination, DPG Farms Site,
Corps File No. NWO-2019-01572-DEN, Weld County, CO**

Mr. Chris Leone
J2 Contracting Company
105 Coronado Court
Unit A-101
Fort Collins, CO 80525

Dear Mr. Leone:

Reference is made to the above-mentioned project centered at approximately 40.420595°N, -104.609899°W, in Weld County, Colorado. You have requested an Approved Jurisdictional Determination for all aquatic resources found at the project location.

The project area has been reviewed in accordance with Section 404 of the Clean Water Act under which the U.S. Army Corps of Engineers regulates the discharge of dredged and fill material, and any excavation activity associated with a dredge and fill project in waters of the United States.

The Corps has determined that Aquatic Resources A, B, C, D, E, and J are not jurisdictional. In that regard, no permit is required for work at these locations.

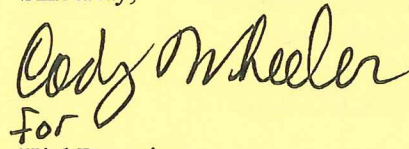
The Corps has further determined that Aquatic Resources G, H, and I are jurisdictional. A Department of the Army (DA) permit will be required for work in these locations. Please contact this office for permitting guidance and review.

At your request, an approved jurisdictional determination (JD) has been completed for two aquatic resources in this area. The JD is attached to this letter. If you are not in agreement with the JD decision, you may request an administrative appeal under regulation 33 CFR 331, by using the attached Appeal Form and Administrative Appeal Process form. The request for appeal must be received within 60 days from the date of this letter. If you would like more information on the jurisdictional appeal process, contact this office. It is not necessary to submit a Request for Appeal if you do not object to the JD.

This JD is valid for a period of five years from the date of this letter, unless new information warrants revisions of the JDs before the expiration date, or unless the Corps has identified, after a possible public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

If there are any additional questions or concerns, please contact **Mr. Nicholas Franke** of my office at **303-979-4120** or by email at Nicholas.A.Franke@usace.army.mil and reference **Corps File No. NWO-2019-01572-DEN**.

Sincerely,

A handwritten signature in black ink that reads "Cody Wheeler". The signature is written in a cursive, flowing style. Below the signature, the word "for" is written in a smaller, simpler font.

Kiel Downing
Chief, Denver Regulatory Office

Attachments:

- Approved Jurisdictional Determination (December 18, 2019)
- Approved Jurisdictional Determination Appeal Form
- Approved Jurisdictional Determination Appeal Form Instruction Sheet



Table 1. Summary of Aquatic Resources Delineated within the Survey Area					
Aquatic Resource Name	Classification		Irrigation Supported Wetland	Acres Inside Study Boundary Only	Linear Feet of Stream Channel
	Cowardin ¹	Location (lat/long)			
Aquatic Resource Wetland Habitat					
A	PEM	40.42095/-104.61007	Y	4.28	---
B	PEM	40.42118/-104.61236	Y	2.20	---
C	PSS	40.42170/-104.60861	Y	0.09	---
D	PSS	40.41911/-104.61221	Y	0.68	---
E	PSS	40.41995/-104.61412	Y	0.43	---
G	PSS	40.42007/-104.61912	N	0.86	---
H	PSS/PEM	40.42356/-104.61038	N	1.29	---
I	PEM/PFO	40.42012/-104.60404	N	1.53	---
J	PEM	40.41684/-104.61175	Y	0.67	---
Aquatic Resource Riverine					
H	R2UBG	40.42356/-104.61038	N	5.85	6186
J	R4UBK	40.41684/-104.61175	Y	0.46	5759
TOTAL				18.34	11,945

Notes:
¹Habitat Type based on Cowardin et al. 1979

Prepared By:



5672 Juhls Drive
Boulder, CO 80301
(303) 679-4820

ERC # 1195-1901

LEGEND

- Study Boundary (≈ 265 acres)
- Data Point Location & ID
- Field Flag & ID
- Culvert
- Gate

- Remant Gravel Pit
- Culvert Connection
- Approximate Centerline
- Irrigation Influenced Wetlands
- Aquatic Resource Name

- DPG Delineated AR
Habitat Type (Cowardin)
- PEM
 - PEM/PFO
 - PSS
 - PSS/PEM
 - OHWM

DPG SITE AQUATIC RESOURCE DELINEATION MAP

WELD COUNTY, COLORADO

Date: August 29, 2019



1 inch = 500 feet

