

**STATE OF
COLORADO****Michels - DNR, Amber <amber.michels@state.co.us>**

Notice of Application Consideration for Permit: M2023005

DRMS_PermitAdmin - DNR, DNR_ <dnr_drms_permitadmin@state.co.us>

Thu, Mar 2, 2023 at 9:38 AM

To: Amber Michels - DNR <amber.michels@state.co.us>, Jared Ebert - DNR <jared.ebert@state.co.us>

Susan L. Burgmaier

Business Process Technical Specialist

**COLORADO**
Division of Reclamation,
Mining and Safety
Department of Natural Resources

P 303.866.3567 x 8111 | F 303.832.8106

Physical: 1313 Sherman Street, Room 215, Denver, CO 80203

Mailing: DRMS Room 215, 1001 E 62nd Ave, Denver, CO 80216

dnr_drms_permitadmin@state.co.us | <https://drms.colorado.gov>**ePermitting Login**

----- Forwarded message -----

From: **SPA-RD-CO** <SPA-RD-CO@usace.army.mil>

Date: Thu, Mar 2, 2023 at 8:57 AM

Subject: Re: [Non-DoD Source] Notice of Application Consideration for Permit: M2023005

To: Division of Reclamation, Mining and Safety <dnr_drms_permitadmin@state.co.us>

Thank you for requesting comments from our office regarding the proposed subject project(s) or activity (ies) that may have the potential to impact aquatic resources. We appreciate that you are considering our potential regulatory role in the project, but we do not currently have the ability to provide project specific comments. If the activity should have the potential to result in the discharge of dredged or fill material into waters of the United States, then the project proponent should work directly with our office to acquire necessary Corps permits, if applicable, as described in following general comment.

Section 404 of the Clean Water Act requires a permit from us for the discharge of dredged or fill material into waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, lakes, ponds, wetlands, wet meadows, and seeps. To ascertain the extent of waters on the project site, the applicant should prepare a delineation of aquatic resources, in accordance with the applicable standards, including the 1987 Wetland Delineation Manual and the South Pacific Division Minimum Standards for Acceptance of Preliminary Wetlands Delineations. These standards can be found on our website at: <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/Jurisdiction/>.

An aquatic resource delineation should be evaluated prior to developing a be part of a range of alternatives that meet the project purpose. The range of alternatives considered for this project should include alternatives that avoid and minimize impacts to wetlands, streams, or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to discharging dredged or fill material into waters of the United States, compensatory mitigation may be required.

For more information about our program or to locate a list of consultants that prepare aquatic resource delineations and permit application documents, please visit our website at <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits>.

Respectfully,
Lexi Hamous
Regulatory Specialist
Southern Colorado Branch

From: Division of Reclamation, Mining and Safety <dnr_drms_permitadmin@state.co.us>

Sent: Wednesday, March 1, 2023 3:37 PM

To: SPA-RD-CO <SPA-RD-CO@usace.army.mil>

Cc: amber.michels@state.co.us <amber.michels@state.co.us>

Subject: [Non-DoD Source] Notice of Application Consideration for Permit: M2023005

[Quoted text hidden]