

STATE OF
COLORADO

Yeldell - DNR, Amy <amy.yeldell@state.co.us>

USACE Meeker Pit Comment

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Wed, Jan 3, 2024 at 3:34
PM

To: "amy.yeldell@state.co.us" <amy.yeldell@state.co.us>

Afternoon Amy,

Thank you for requesting comment from our office regarding proposed projects or activities that may have the potential to impact aquatic resources. We appreciate that you are considering our potential regulatory role in the project but do not currently have capacity to prioritize project specific review and provide comment in a timely fashion. Therefore, the project proponent should work directly with our office to acquire necessary Corps permits, if applicable, as described in following general comment.

Our regulatory jurisdiction is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, streams, lakes, ponds, wetlands, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

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 available on our website, including the 1987 Wetland Delineation Manual and the South Pacific Division Minimum Standards for Acceptance of Preliminary Wetlands Delineations. The delineation should then be part of evaluating 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 filling waters of the United States, mitigation plans may need to be developed to compensate for the unavoidable losses resulting from project implementation.

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>.

Pre-application has been assigned to the potential project. Please refer to DA# SPA-2023-00346 for all materials and correspondence if a permit is needed.

Best,

Robert Frank

Regulatory Project Manager, NW Colorado Branch

Albuquerque District, US Army Corps of Engineers

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