

From: Moore, Stephen A SPK [Stephen.A.Moore@usace.army.mil]
Sent: Friday, July 06, 2012 9:48 AM
To: Czapla, Dustin
Subject: USACE comments, Wand Pit M-2012-007 (UNCLASSIFIED)

Follow Up Flag: Follow up
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Classification: UNCLASSIFIED
Caveats: NONE

Mr. Czapla,

This email constitutes U.S. Army Corps of Engineers comments regarding the Permit Conversion application for the Wand Pit, M-2012-007.

The June 15, 2012 Notice does not contain enough information for us to give specific, detailed comments regarding the proposed work as it relates to Corps jurisdiction under Section 404 of the Clean Water Act (CWA). We request a copy of the permit application be sent to us so that we may provide you with specific comments.

We would also like to take this opportunity to inform you that work done on the Wand Pit property along the bank of the Yampa River, allegedly performed by Northwest Aggregates, may constitute a violation of Section 404 of the CWA. We have attempted to gain access to this property on two occasions as part of our investigation but to date have been unsuccessful. We will be sending a formal Notice of Violation letter to Northwest Aggregates and Wand, Inc. in the near future and will copy you on all correspondence.

EPA recently made us aware of another potential CWA violation involving Northwest Aggregates, this one in an active gravel pit located SW of the Wand property. We have opened an initial investigation into this potential violation. Our preference is that Wand, Inc. and Northwest Aggregates cooperate in our investigation and grant us access to these sites so that a determination of CWA compliance/noncompliance can be made as soon as possible.

Should DRMS make a site visit to either of these sites we request the Corps be included. Thank you for the opportunity to provide comment.

Sincerely,

Steve Moore
Project Manager
Colorado West Regulatory Office
Sacramento District, USACE
p. 970.243.1199 x13
f. 970.241.2358

Performing a delineation of waters of the U.S.? Be sure to follow the Minimum Standards:
http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/pdf/min_standards.pdf

Let us know how we're doing.
<http://per2.nwp.usace.army.mil/survey.html>

Information on the Regulatory Program.

<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>

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