



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

May 17, 2019

Regulatory Division (SPK-2007-01880 and SPK-2002-75568)

Colorado Department of Transportation
Attn: Mr. Tim Funk
3803 North Main Avenue
Durango, Colorado 81301
timothy.funk@state.co.us

Dear Mr. Funk:

We are responding to your pre-construction notification for a Department of the Army Nationwide permit for the Improvements to US 550-US160 South Connection project. The project site is located on US Highway 550 from milepost 14.9 to the existing Grandview Interchange, La Plata County, Colorado.

Based on the information you provided to this office, the US 550-US160 South Connection project involves the discharge of dredged and/or fill material into approximately 2.1 acres of waters of the U.S. for the widening of the existing US 550 and construction of a new highway segment and interchange with US 550 and US 160, subject to Section 404 of the Clean Water Act. The specific activities that require DA authorization include the construction of temporary access roads, grading, paving, and culvert installations. These activities will result in the permanent loss to 0.38 acre of wetland, and 1.3 acres of ditch (8,584 linear feet), and temporary impacts to approximately 0.17 acre of wetland, 0.19 acre of ditch (1,739 linear feet), and 0.04 acre (291 linear feet) of stream channel. The proposed activities would be conducted in accordance with the pre-construction notification and plans submitted on March 29, 2019.

We have determined that activities in waters of the U.S. associated with the project are authorized by Nationwide Permit Numbers (NWP) 14 and 46. However, this authorization is denied without prejudice until water quality certification under Section 401 of the Clean Water Act has been issued or waived for the activities requiring a permit from this office. Once you receive water quality certification or waiver thereof, the activities are authorized and the work may proceed subject to the conditions of water quality certification, and the terms and conditions of the NWP.

You must comply with all terms and conditions of the NWP and applicable regional conditions. Enclosed is information about the NWP terms and conditions and Sacramento District regional conditions for Colorado (Enclosure 1). Please note that General Condition #30 requires that the permittee sign the enclosed Compliance

Certification and return it to this office within 30 days after completion of the authorized activity. In addition, your work must comply with the following special conditions:

1. To compensate for the loss of 0.38 acre of wetlands, you shall purchase 0.38 credit of wetland at the Animas River Wetlands LLC mitigation bank. Evidence of this purchase shall be provided to this office prior to initiation of construction activities in waters of the U.S. authorized by this verification.

This verification is valid until March 18, 2022, 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 and processes. For more information about our program or to complete our Regulatory Program national customer service survey, visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Please refer to identification number SPK-2007-01880-DC 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, or telephone at (970) 259-1604.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kara A. Hellige', with a horizontal line extending to the right.

Kara A. Hellige
Senior Project Manager
CO West Section

Enclosures

cc: (w/ encls)

Ms. Toney Ott, USEPA, Ott.Toney@epa.gov

Mr. Jeff Seebach, SUIT, jseebach@southernute-nsn.gov

COMPLIANCE CERTIFICATION

Permit File Name: US 550-US160 South Connection

Action ID: SPK-2007-01880 & SPK-2002-75568

Nationwide Permit Number: NWP 14 and 46

Permittee: Colorado Department of Transportation
Attn: Mr. Tim Funk
3803 North Main Avenue
Durango, Colorado 81301

County: La Plata County

Date of Verification: May 17, 2019

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.

* * * * *

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.

Permittee Signature

Date