



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
SOUTHERN COLORADO REGULATORY OFFICE
200 SOUTH SANTA FE AVENUE, SUITE 301
PUEBLO, COLORADO 81003-4270

July 14, 2014

Regulatory Division

SUBJECT: Permit Verification for the I-25/US24/Cimarron Street Interchange Reconstruction and Fountain Creek Stabilization Project

Larry Sly
Wilson & Company
5755 Mark Dabling Blvd., Suite 220
Colorado Springs, CO 80919

Mr. Sly:

I am writing this letter in response to your pre-construction notification for the proposed I-25/US24/Cimarron Street Interchange Reconstruction and Fountain Creek Stabilization Project located at approximately latitude 38.828, longitude -104.836, in El Paso County, Colorado. The work, as described in your letter, will involve roadway and bridge work in approximately 552 linear feet (0.23 acre) of Fountain Creek in the vicinity of the existing interchange, extension of the existing Bear Creek box culvert by approximately 75 linear feet (0.03 acre), and stabilization of approximately 1,557 linear feet (0.39 acre) of Fountain Creek from the 8th Street Bridge downstream to the confluence of Fountain Creek and Monument Creek. The Fountain Creek stabilization work will include construction of three (3) sloping boulder grade control structures in order to raise the lowered channel invert to the existing invert elevation at the downstream side of the US 24 Bridge. In addition, 4-6" rounded cobble will be placed within the existing ordinary high water mark of Fountain Creek where the proposed low flow channel intersects with the existing stream channel. We have assigned Action No. SPA-2014-00317-SCO to this project. Please reference this number in all future correspondence concerning the project.

Based on the information provided, we have determined that the roadway and bridge-related work is authorized by Nationwide Permit (NWP) No. 14 for Linear Transportation Projects. Furthermore, we have determined that the Fountain Creek stabilization work is authorized by Regional General Permit (RGP) No. 37 for Stream Stabilization. You may obtain a summary of NWP 14 and the Colorado Regional Conditions by visiting our website at www.spa.usace.army.mil/reg/nwp. You may obtain a copy of RGP 37 by visiting our website at www.spa.usace.army.mil/reg/rgp. For specific information regarding compliance with state water quality certification requirements, please refer to our website at www.spa.usace.army.mil/reg/wqc. The permittee must ensure that the work complies with all of the terms and conditions of

both NWP 14 and RGP 37, including the Colorado Nationwide Permit Regional Conditions and the conditions of water quality certification.

Our review of this project also addressed its effects on threatened and endangered species and historic properties in accordance with general conditions 18 and 20 of the nationwide permits and general conditions 8 and 9 of RGP 37. Based on the information provided, we have determined that this project will not affect any federally listed threatened or endangered species or any historic properties listed, or eligible for listing, in the National Register of Historic Places. However, please note that the permittee is responsible for meeting the requirements of the general conditions on endangered species and historic properties.

This verification is only valid for the project as described in your letter. Appropriate erosion and sediment controls should be implemented to ensure that construction materials and/or activities do not enter any wetlands or other waterbodies beyond the scope of the authorization. If there are any changes in the project purpose, location, or design, you should contact our office for a reevaluation of Department of the Army permit requirements.

This letter does not constitute approval of the project design features, nor does it imply that the construction is adequate for its intended purpose. This permit verification does not authorize any injury to property or invasion of rights or any infringement of federal, state or local laws or regulations. The permittee and/or any contractors acting on behalf of the permittee must possess the authority and any other approvals required by law, including property rights, in order to undertake the proposed work.

This permit verification is valid until March 18, 2017 (33 CFR 330.6), unless either of the permits is modified, suspended, revoked or reissued prior to that date. Continued confirmation that an activity complies with the terms and conditions, and any changes to the permit, is the responsibility of the permittee. Activities that have commenced, or are under contract to commence, in reliance on a nationwide or regional general permit will remain authorized provided the activity is completed within 12 months of the date of the permits expiration, modification, or revocation.

Within 60 days of project completion, the permittee must fill out the enclosed Certification of Compliance form and return it to our office. The landowner must allow Corps representatives to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of the permit.

If you have any questions or need any further assistance from our office, please contact me at (719) 543-6914 or by e-mail at Joshua.G.Carpenter@usace.army.mil. At your convenience, please complete a Customer Service Survey on-line available at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,



Joshua G. Carpenter
Senior Project Manager

Enclosure

**Certification of Compliance
with Department of the Army Permit**

Action Number: SPA-2014-00317-SCO
Permittee: Colorado Department of Transportation
Permit: NWP 14 – Linear Transportation Projects
RGP 37 – Stream Stabilization Projects

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

Joshua Carpenter
Albuquerque District, U.S. Army Corps of Engineers
Southern Colorado Regulatory Office
200 South Santa Fe Avenue, Suite 301
Pueblo, Colorado 81003-4270

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

Please enclose photographs showing the completed project (if available).

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Date Work Started _____

Date Work Completed _____

Signature of Permittee

Date