



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, ALBUQUERQUE DISTRICT  
400 ROOD AVENUE, ROOM 224  
GRAND JUNCTION, CO 81501-2520

April 8, 2022

Regulatory Division

SUBJECT: Nationwide Permit Verification (SPA-2022-00078)

Robert and Erin Pratt  
100 Dexter Street  
Denver, CO 80220  
[rwpratt@gmail.com](mailto:rwpratt@gmail.com)

Dear Mr./Ms. Pratt:

The U.S. Army Corps of Engineers (Corps), Albuquerque District, is responding to your preconstruction notification (PCN), dated February 18, 2022, submitted to us for verification of authorization under a Nationwide Permit (NWP) for the *Daschle Subdivision Lot 2 Driveway* project. The project is located at 26730 Routt County Road 14, within Section 24, Township 4 North, Range 85 West, Sixth (6<sup>th</sup>) Principal Meridian, centered at latitude 40.31277°, longitude 106.86999°, approximately 14 miles south of the City of Steamboat Springs, Routt County, Colorado.

Based on the information provided, we have determined that the *Daschle Subdivision Lot 2 Driveway* project involves the discharge of fill material into waters of the United States (WOTUS) for the purpose of constructing a driveway to access a residential parcel, subject to Section 404 of the Clean Water Act. The specific activity that requires Department of Army (DA) authorization is the discharge of 143 cubic yards of structural fill overlain with topsoil into palustrine emergent (PEM) wetlands to prepare the area for the construction of a driveway. In total, these activities will result in permanent impacts to 1,357 square feet (0.03 acre) of PEM wetlands. The proposed activities will be conducted as described in the referenced PCN.

We have determined that activities in WOTUS associated with the project are authorized by 2021 NWP 14 for *Linear Transportation Projects*. A summary of this permit and the Colorado Regional Conditions are available on our website at <http://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/NWP/>. Please refer to our website at <http://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/Water-Quality-Certification/> for specific information regarding compliance with state water quality certification requirements. The permittee must ensure that the work complies with the terms and conditions of the permit, including Colorado Regional Conditions. As required by General Condition 30, you shall sign the enclosed Compliance Certification (Enclosure 1) and return it to this office within 30 days after completion of the authorized work.

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. Based on the information provided, we have determined that this project will have no effect on federally listed species or their critical habitat. Additionally, the project has no potential to cause effects to historic properties. However, these determinations may be invalidated if the project is not completed as authorized or you did not provide accurate information in your PCN.

This permit verification is valid until March 14, 2026 (33 *CFR* 330.6), unless the NWP 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 NWP, is the responsibility of the permittee. Activities that have commenced, or are under contract to commence, in reliance on an NWP will remain authorized provided the activity is completed within 12 months of the date of the NWP's expiration, modification, or revocation.

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 does not authorize any injury to property or invasion of rights or any infringement of federal, state, local, or tribal 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, to undertake the proposed work.

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 NWP.

Please refer to identification number SPA-2022-00078 in any correspondence concerning this project. If you have any questions, please contact me at the letterhead address, by email at [tucker.j.feyder@usace.army.mil](mailto:tucker.j.feyder@usace.army.mil), or telephone at (970) 243-1199, extension 1017. At your convenience, please complete a Customer Service Survey online at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

Tucker J. Feyder  
Project Manager  
NW Colorado Branch

Enclosure

cc:

Ms. Kristy Winser, Routt County Planning Director, [kwinser@co.routt.co.us](mailto:kwinser@co.routt.co.us)

Mr. Kelly Colfer, Western Bionomics, [kscolfer@westernbionomics.com](mailto:kscolfer@westernbionomics.com)

## COMPLIANCE CERTIFICATION

Action Number: SPA-2022-00078

Name of Permittee: Robert and Erin Pratt

Nationwide Permit: 14 – Linear Transportation Projects

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

Albuquerque District, U.S. Army Corps of Engineers  
Northwestern Colorado Branch Office  
400 Rood Ave., Room 224  
Grand Junction, Colorado 81501  
[spa-rd-co@usace.army.mil](mailto:spa-rd-co@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 this permit, you are subject to permit suspension, modification, or revocation.

***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.***

Date Work Started \_\_\_\_\_

Date Work Completed \_\_\_\_\_

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date