

From: [Feyder, Tucker J CIV USARMY CESPA \(USA\)](#)
To: [Sally Ross](#)
Cc: [Alan Goldich](#)
Subject: RE: PL20220101 External agency feedback request
Date: Wednesday, January 4, 2023 1:45:08 PM
Attachments: [image001.png](#)

Hi Sally,

My apologies for not getting comments to you in time. The Corps would like to provide the 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 (WOTUS). WOTUS include, but are not limited to, rivers, perennial, intermittent, or ephemeral streams, lakes, ponds, wetlands, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into WOTUS will require Department of the Army authorization prior to starting work. The proposed project appears to have the potential for work to occur near WOTUS, although it is not clear whether a discharge of fill material into WOTUS is proposed based on the information provided.

To ascertain the extent of WOTUS on the project site, applicants should prepare a delineation of aquatic resources in accordance with the applicable standards available on our website at https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/reg_supp/, including the 1987 Wetland Delineation Manual. The delineation should then be part of evaluating a range of alternatives that meet the project purpose.

The range of alternatives considered for these projects should include alternatives that avoid and minimize impacts to wetlands, streams, or other WOTUS. Every effort should be made to avoid project features which require the discharge of dredged or fill material into WOTUS. In the event it can be clearly demonstrated there are no practicable alternatives to filling WOTUS, mitigation plans may need to be developed to compensate for the unavoidable losses resulting from project implementation.

For more information about our program, including information on applicable permits, please visit our website at <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits>.

Very Respectfully,

Tucker Feyder
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For more information on the Corps Regulatory Program, you can visit our website at:

<https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/>

Let us know how we're doing. Please complete the survey at:

<https://regulatory.ops.usace.army.mil/customer-service-survey/>

From: Sally Ross <sross@co.routt.co.us>

Sent: Wednesday, January 4, 2023 1:35 PM

To: Feyder, Tucker J CIV USARMY CESA (USA) <Tucker.J.Feyder@usace.army.mil>

Cc: Alan Goldich <agoldich@co.routt.co.us>

Subject: [URL Verdict: Unknown][Non-DoD Source] PL20220101 External agency feedback request

Hi Tucker,

I'm checking in to see if you've had the opportunity to review the proposed project PL20220101.

This proposal would greatly benefit from your feedback, as the proposed uses are in close proximity to an existing wetland.

Please let me know if you need me to re-send the project information.

Thank you,

Sally Ross

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