



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

November 10, 2021

Regulatory Division

SUBJECT: Nationwide Permit Verification (SPA-2021-00300)

Justin Meyer  
2214 N Washington Street  
Denver, CO 80205  
[justin@rocketscience.cc](mailto:justin@rocketscience.cc)

Dear Mr. Meyer:

The U.S. Army Corps of Engineers (Corps), Albuquerque District, is responding to your preconstruction notification (PCN), dated September 9, 2021, submitted to us for verification of authorization under Nationwide Permit (NWP) 18 for the *Lot 66 - Trout Lake* project. The project site is located on wetlands in the Lake Fork drainage just upstream of Trout Lake, approximately 1.25 miles from the intersection of State Highway 145 and North Trout Lake Road, within the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 17, Township 41 North, Range 9 West, New Mexico Principal Meridian, centered at Latitude 37.81773, Longitude -107.87676, San Miguel County, Colorado.

Based on the information provided, we have determined that the *Lot 66 - Trout Lake* project involves the discharge of dredged or fill material into waters of the United States, subject to Section 404 of the Clean Water Act. The specific activity that requires Corps authorization is the limited grading adjacent to the drainage and the installation of a 12-inch trench drain. Additionally, to accommodate the onsite wastewater treatment system (OWTS) and properly grade site drainage, the elevation of the existing drainage adjacent to the proposed cabin footprint (hardened bottom channel) will be raised to match grade around the construction site. The project will result in the permanent loss of 1,074 square feet (0.02 acre) of palustrine scrub-shrub wetland, as shown in the design drawings dated September 7, 2021, prepared by The Terra Firm, Incorporated.

The Corps has determined that activities associated with the project are authorized by 2017 NWP 18 for *Minor Discharges*. A summary of this NWP and the 2017 Colorado Regional Conditions are available on our website at [www.spa.usace.army.mil/reg/nwp](http://www.spa.usace.army.mil/reg/nwp). Failure to comply with all terms and conditions of this NWP may result in the suspension or revocation of this authorization. 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 not affect federally listed species or their critical habitat. Additionally, the project has no potential to cause effects on 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 19, 2022, unless the NWP is modified, suspended, reissued, or revoked 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 permit.

We would appreciate your feedback on this permit action including your interaction with our staff or suggestions for improving our program. For more information about our program or to complete our Regulatory Program national customer service survey, visit our website at <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/>.

Please refer to identification number SPA-2021-00300 in any correspondence concerning this project. If you have any questions, please contact me at the Northwestern Colorado Branch, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at [Tyler.R.Adams@usace.army.mil](mailto:Tyler.R.Adams@usace.army.mil), or telephone at 970-243-1199, extension 1013.

Sincerely,

Tyler R. Adams  
Project Manager  
NW Colorado Branch

Enclosure

cc:  
Christopher Hazen, The Terra Firm, Inc., [chrishazen@gmail.com](mailto:chrishazen@gmail.com)  
Kaye Simonson, San Miguel County, [kayes@sanmiguelcountyco.gov](mailto:kayes@sanmiguelcountyco.gov)

**COMPLIANCE CERTIFICATION**

Action Number: SPA-2021-00300

Name of Permittee: Justin Meyer

Nationwide Permit: 18 – *Minor Discharges*

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:

U.S. Army Corps of Engineers, Albuquerque District  
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, and required mitigation was completed in accordance with the permit conditions.***

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

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

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

\_\_\_\_\_  
Date