



**DEPARTMENT OF THE ARMY**  
**CORPS OF ENGINEERS, ALBUQUERQUE DISTRICT**  
**SOUTHERN COLORADO REGULATORY BRANCH**  
201 WEST 8TH STREET, SUITE 350  
PUEBLO, COLORADO 81003

September 10, 2019

Regulatory Division

SUBJECT: Nationwide Permit (NWP) Verification – Action No. SPA-2019-00244-SCO,  
Mullins/Poenitsch Subdivision

Christy Mullins  
7680 Shoup Rd  
Colorado Springs, CO 80908

Dear Ms. Mullins:

I am writing this letter in response to your request for a determination of Department of the Army permit requirements for the construction of two road crossings to provide access to the proposed Mullins/Poenitsch Subdivision located at approximately 39.0142, -104.6833, in El Paso County, Colorado. The work, as described in your emails, will involve the installation of two corrugated metal culverts across wetlands in the headwaters of Burgess River. We have assigned Action No. SPA-2019-00244-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 project is authorized by 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/reg/nwp>. Please refer to our website at <http://www.spa.usace.army.mil/reg/wqc> for specific information regarding compliance with state water quality certification (WQC) requirements. In order to use this permit, you must ensure that the work complies with the terms and conditions of the permit, including Colorado Regional Conditions and WQC.

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 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 general condition 18 on endangered species and general condition 20 on historic properties.

This verification is only valid for the project as described in your submittal. 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 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, 2022 (33 CFR 330.6), unless the nationwide permit 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 nationwide permit, is the responsibility of the permittee. Activities that have commenced, or are under contract to commence, in reliance on a nationwide permit will remain authorized provided the activity is completed within 12 months of the date of the nationwide permits expiration, modification, or revocation.

Within 30 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 nationwide permit.

If you have any questions, please contact me at (719) 744-9379 or by e-mail at [Joshua.G.Carpenter@usace.army.mil](mailto: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=136:4:0](http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0).

Sincerely,

Joshua G. Carpenter  
Senior Project Manager

Enclosure

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

Action Number: SPA-2019-00244-SCO

Name of Permittee: Christy Mullins

Nationwide Permit: NWP 14 – Linear Transportation 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 Branch  
201 West 8th Street, Suite 350  
Pueblo, Colorado 81003

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