



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ALBUQUERQUE DISTRICT
4101 JEFFERSON PLAZA NE
ALBUQUERQUE, NM 87109

October 12, 2021

Regulatory Division

SUBJECT: Nationwide Permit (NWP) Verification – Creekside at Rockrimmon - 252 Heavy Stone (Action No. SPA-2021-00106)

Paul Broussard
Premier Homes, Inc.
200 West City Center Drive
Pueblo, CO 81003

Dear Mr. Broussard:

This letter responds to your May 4, 2021, pre-construction notification (PCN), request for an approved jurisdiction determination, and request for a preliminary jurisdiction determination for the proposed Creekside at Rockrimmon Housing Development. This project is located at approximately latitude 38.9185 N, longitude 104.8334 W, in El Paso County, Colorado. We have assigned Action No. SPA-2021-00106 to this project. Please reference this number in all future correspondence concerning the project.

The work, as described in your PCN, will involve the discharge of fill material into approximately 0.36 acre of palustrine emergent (PEM) wetlands. The work will include construction of a storm water management facility and grading for the housing development (enclosure).

Based on the information provided, we have determined the project is authorized by Nationwide Permit 29, Residential Developments. A summary of this permit and the Colorado Regional Conditions are available on our website at www.spa.usace.army.mil/reg/nwp. For specific information regarding compliance with state water quality certification (WQC) requirements, please refer to our website at www.spa.usace.army.mil/reg/wqc. The permittee must ensure that the work complies with the terms and conditions of the permit, including Colorado Regional Conditions and WQC and the special conditions listed below.

1. To compensate for the loss of 0.36 acre of wetlands and open water pond, you shall purchase a minimum of 0.72 credits of PEM at Maria Lake Wetland Mitigation Bank. Evidence of this purchase shall be provided to this office prior to initiation of construction activities in waters of the U.S. authorized by this verification.

Our review of this project also addressed its effects on threatened and endangered species and historic properties in accordance with general conditions (GCs) 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 GC 18 on endangered species and GC 20 on historic properties.

We have determined that the approved jurisdiction determination review area contains 0.27 acre of isolated wetland/open water. These features, which include Wetland A, Wetland B, and Open Water C, do not have a surface connection to a waters of the U.S. and therefore are not waters of the U.S. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 C.F.R. Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If the permittee requests to appeal this determination he or she must submit a completed RFA form to the South Pacific Division Office at the following address:

Attn: Tom Cavanaugh, Administrative Appeal Review Officer
Army Engineer Division, South Pacific, CESPDPDS-O
P.O. Box 36023
450 Golden Gate Ave.
San Francisco, CA 94102

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address within 60 days of the date of this letter.

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 14, 2026 (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 permit expiration, modification, or revocation.

In accordance with GC 30, the permittee must sign and return the enclosed Certification of Compliance form within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later. 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.

I am forwarding a copy of this letter to Julia Auckland of Auckland Environmental Consulting. If you have any questions, please contact me at (505) 342-3678 or by e-mail at Forrest.Luna@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.

Sincerely,

A handwritten signature in blue ink that reads "Forrest Luna".

Forrest Luna
Regulatory Specialist

Enclosure

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

Action Number: SPA-2021-00106

Name of Permittee: Paul Broussard, Premier Homes, Inc.

Nationwide Permit: 29 - Residential Developments

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:

Forrest Luna
Albuquerque District, U.S. Army Corps of Engineers
4101 Jefferson Plaza NE
Albuquerque, NM 87109

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 _____

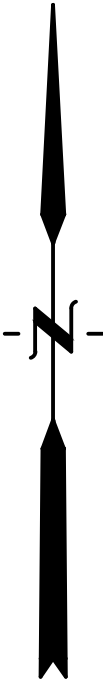
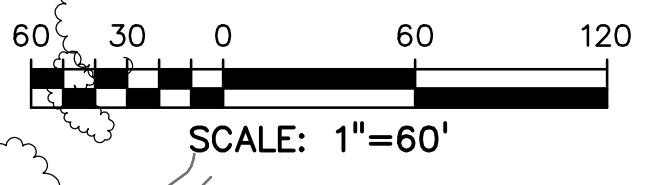
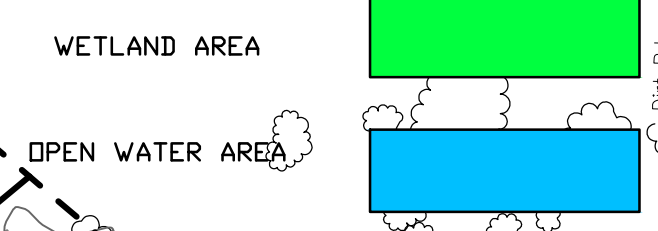
Date Work Completed _____

Signature of Permittee

Date



- NOTES:**
1. THERE WILL NOT BE ANY RETAINING WALLS ON THE SITE AS PART OF THE OVERLOT GRADING PLAN. SHORT RETAINING WALLS MAY BE ADDED LATER BY THE BUILDER IF DESIRED.
 2. COMPLETE REMOVAL OF ANY REMAINING FILL AFTER SITE GRADING IS REQUIRED.
 3. A VALLEY DRAIN IS TO BE INSTALLED BENEATH THE ADDED FILL ALONG THE CENTRAL DRAINAGE THAT BISECTS THE SITE AND THE ERODED GULLY IN THE SOUTH-CENTRAL PORTION OF THE SITE. THE DRAIN SHOULD FOLLOW THE EXISTING DRAINAGE BELOW THE FILL AND FILL ADDED FOR THE DETENTION POND TO DAYLIGHT IN THE DRAINAGE ALONG THE EASTERN BOUNDARY OF THE SITE.
 4. OUTLET PROTECTION WILL BE ADDED OUTSIDE OF THE WETLAND. OUTLETS WILL BE DESIGNED TO MAINTAIN LOW FLOW INTO THE WETLANDS, BUT PREVENT EROSION DURING HIGH FLOWS.




PREPARED BY:



DREXEL, BARRELL & CO.
 Engineers-Surveyors
 3 SOUTH 7TH STREET
 COLORADO SPRINGS, COLORADO 80905
 CONTACT: TIM D. MCCONNELL, P.E.
 (719) 264-0887
 BOULDER • COLORADO SPRINGS • GREELEY

CLIENT:



PREMIER HOMES
 More Home. Exceptional Value.

200 W. 1ST STE. 200
 PUEBLO, COLORADO 81003
 (719) 584-2800
 CONTACT: PAUL M. BROUSSARD

DEVELOPMENT PLAN

CREEKSIDE AT ROCKRIMMON SINGLE-FAMILY FILING NO. 1

COLORADO SPRINGS, COLORADO

ISSUE	DATE
INITIAL ISSUE	5/29/20
LATEST ISSUE	6/17/21

DESIGNED BY: TDM
DRAWN BY: GES
CHECKED BY: TDM
FILE NAME: 20645-05GP01

PREPARED UNDER MY DIRECT SUPERVISION FOR AND BEHALF OF DREXEL, BARRELL & CO.

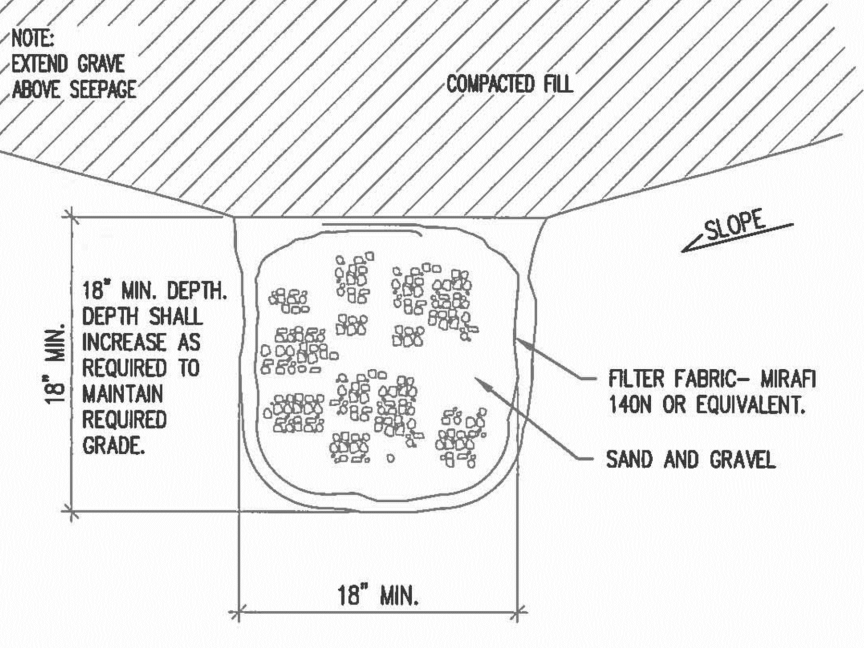
DRAWING SCALE:
 HORIZONTAL: 1" = 60'
 VERTICAL: N/A

PRELIMINARY GRADING PLAN

PROJECT NO. 20645-05CSCV
DRAWING NO.

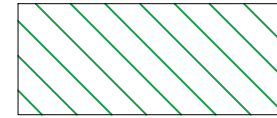
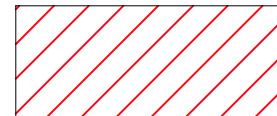
GP1

SHEET: 4 OF 17



LEGEND


- PROPOSED INTERMEDIATE CONTOUR 6314
- PROPOSED INDEX CONTOUR 6315
- EX. INTERMEDIATE CONTOUR 5364
- EX. INDEX CONTOUR 5365
- DIRECTION OF FLOW ←
- HIGH POINT HP
- LOW POINT LP
- PROPOSED STORM SEWER 18" RCP
- PROPOSED MANHOLE ●
- EX. STORM SEWER EX. 18" RCP STORM
- VALLEY DRAIN

-  UNDERMINED TYPE I (SEE GEOLOGIC HAZARD STUDY BY ENTECH ENGINEERING)
-  UNDERMINED TYPE II (SEE GEOLOGIC HAZARD STUDY BY ENTECH ENGINEERING)

UNDERMINED TYPE II AREA IS RECOMMENDED TO HAVE SUBSIDENCE INSURANCE, AND THE FOLLOWING SUBSIDENCE MEASURES ARE REQUIRED:

- PIPELINES SHOULD BE CONSTRUCTED WITH LINES AND COUPLINGS THAT CAN WITHSTAND STRAINS OF 5 PERCENT VERTICAL AND 0.5 PERCENT HORIZONTAL
- PIPES SHOULD BE BEDDED WITH COARSE AGGREGATE TO SPRINGLINE
- BACKFILL TO 1 FOOT ABOVE PIPE WITH CLEAN AGGREGATE
- FOUNDATIONS SHOULD BE REINFORCED AND DESIGNED WITH AN EFP OF 100 PCF OR BE PROTECTED WITH A VERTICAL LAYER OF COMPRESSIBLE MATERIAL
- SLABS TO BE SUPPORTED ON A MINIMUM 6" LAYER OF COMPACTED SAND

THESE MEASURES WILL NOT PREVENT MOVEMENT FROM SUBSIDENCE, THEY ARE INTENDED TO REDUCE POTENTIAL DAMAGE. INSURANCE IS STILL RECOMMENDED BY ENTECH ENGINEERING. UNDERMINED TYPE I AREA CAN PROCEED WITHOUT RESTRICTION, HOWEVER IT IS RECOMMENDED THAT THESE AREAS ALSO FOLLOW THE SAME MITIGATION TECHNIQUES AS TYPE II LISTED ABOVE. AFTER SITE GRADING IS COMPLETE, ADDITIONAL INVESTIGATION WILL BE REQUIRED TO PROVIDE FINAL FOUNDATION RECOMMENDATIONS AND VERIFY WATER LEVELS ON THE BUILDING SITES. BASED ON ENTECH'S FINDINGS THERE ARE NO AREAS THAT ARE NOT RECOMMENDED TO BE BUILT UPON.



Know what's below. Call before you dig.

CALL 3-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

CITY FILE NO: CPC PUD 20-00109