



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

March 28, 2022

Regulatory Division

SUBJECT: Nationwide Permit Verification (SPA-2022-00075) Indian Meadows, Lot 1

Graystone LLC
Attn: Mr. Bob Amin
82 East 120th Avenue
Thornton, CO 80233
BobAmin@live.com

Dear Mr. Amin:

The U.S. Army Corps of Engineers (Corps), Albuquerque District, is responding to your preconstruction notification (PCN), dated February 16, 2022, submitted to us for verification of authorization under a Nationwide Permit (NWP) for the *Indian Meadows, Lot 1* project. The project is located at the intersection of Dougherty Road and Stone Drive, within Section 28, Township 6 North, Range 84 West, Sixth (6th) Principal Meridian, centered at latitude 40.44585°, longitude -106.81403°, in the City of Steamboat Springs, Routt County, Colorado.

Based on the information provided, we have determined that the *Indian Meadows, Lot 1* project involves the discharge of dredged and/or fill material into waters of the United States (WOTUS) for the purpose of constructing 2 new hotels and their attendant features (i.e., access roads, parking lot, trash disposal, etc.), subject to Section 404 of the Clean Water Act. The specific activity that requires Department of Army (DA) authorization is the grading of wetlands to prepare the area for the construction of an access road. In total, these activities will result in permanent impacts to 1,000 square feet (0.02 acre) of palustrine scrub-shrub 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 39 for *Commercial and Institutional Developments*. 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.

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-2022-00075 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, 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. Rebecca Bessey, City of Steamboat Springs, rbessey@steamboatsprings.net
Mr. Joe Wiedemeier, Four Points Surveying and Engineering, joew@fourpointsse.com
Ms. Kelly Colfer, Western Bionomics, kscolfer@westernbionomics.com

COMPLIANCE CERTIFICATION

Action Number: SPA-2022-00075

Name of Permittee: Graystone LLC, Attn: Mr. Bob Amin

Nationwide Permit: 39 – *Commercial and Institutional Developments*

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

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 said permit.

Date Work Started _____

Date Work Completed _____

Signature of Permittee

Date