



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD
LITTLETON, COLORADO 80128-6901

January 30, 2024

SUBJECT: Nationwide Permit Verification – NWO-2023-01629-DEN
Lyons Ute HWY Streambank Stabilization

Rene Doubleday
Lyons Ute Hwy, LLC
3222 Tejon St
Denver, CO 80211

Dear Ms. Doubleday:

This letter is in reference to the proposed project located approximately 1000 feet east of the Highway 66 and Highway 36 intersection near Lyons, at latitude 40.211415°, longitude -105.245412°, in Boulder County, Colorado. The work as described in your October 26, 2023, submittal (revised January 5, 2024) will consist of restoration of a 630-foot reach of St. Vrain Creek, damaged during the 2013 floods, by constructing a multistage channel with a low flow channel, bankfull channel, and a floodplain bench. The proposed project will impact 0.73 acre of St. Vrain Creek; however, this work is considered ecological restoration and will result in a net benefit to the aquatic environment.

Based on the information provided, this office has determined that the work is authorized by the **Department of the Army Nationwide Permit (NWP) 27 – Aquatic Habitat Restoration, Enhancement, and Establishment Activities** found in the January 13, 2021, Federal Register. Enclosed is a fact sheet, which fully describes this Nationwide Permit and lists the General Conditions, and Colorado Regional Conditions, which must be adhered to for this authorization to remain valid.

Although an Individual Department of the Army permit will not be required for this work, this does not eliminate the requirement that any other applicable federal, state, tribal or local permits be obtained as required. Please be advised that deviations from the original plans and specifications of this project could require additional authorization from this office.

The applicant is responsible for all work accomplished in accordance with the terms and conditions of the nationwide permit. If a contractor or other authorized representative will be accomplishing the work authorized by the nationwide permit on behalf of the applicant, it is strongly recommended that they be provided a copy of this letter and the enclosed conditions so that they are aware of the limitations of the

applicable nationwide permit. Any activity which fails to comply with all the terms and conditions of the nationwide permit will be considered unauthorized and subject to appropriate enforcement action.

This verification will be valid until March 14, 2026. If work has begun, or is under contract to begin, prior to March 14, 2026, the permittee is granted an additional 12 months to complete the project under the 2021 NWP. In compliance with General Condition 30, the enclosed "Certification of Completed Work" form must be signed and returned to this office upon completion of the authorized work and any required mitigation.

If there are any questions please feel free to contact me at (720) 922-3852 or by e-mail at matthew.r.montgomery@usace.army.mil, and reference **Corps File No. NWO-2023-01629-DEN**.

Sincerely,

Matthew Montgomery

Matt Montgomery
Denver Regulatory Office

Enclosure(s)

Copies Furnished:

U.S. Fish and Wildlife Service
Colorado Department of Public Health and Environment
Environmental Protection Agency
Colorado Parks and Wildlife
Nathan Werner, Werner Water Engineering