



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
Southern Colorado Regulatory Office
200 S. Santa Fe Avenue, Suite 301
Pueblo, Colorado 81003

April 3, 2012

REPLY TO
ATTENTION OF:

Regulatory Division

SUBJECT: Action No. SPA-2011-00515-SCO, Southern Delivery System bank stabilization, Steel's Hollow, Pueblo, County, Colorado

Allison Mosser
Colorado Springs Utilities
P.O. Box 1103 MC940

Colorado Springs, CO 80902

Ms. Mosser:

We received your letter dated March 21, 2012 concerning bank stabilization of Steel's Hollow, Pueblo County, Colorado. The activity involves road crossing. We have assigned Action No. SPA-2011-00515-SCO to this activity. To avoid delay, please include this number in all future correspondence concerning this project.

We have reviewed this project in accordance with Section 404 of the Clean Water. Under Section 404, the Corps regulates the discharge of dredged and fill material into waters of the United States (U.S.), including wetlands. Based on your description of the proposed work, and other information available to us, we have determined that the proposed project will involve activities subject to Section 404. Therefore, a Department of the Army permit is required.

We have determined that this project is authorized by Nationwide Permit . A summary of this permit and the regional conditions for Colorado are available on our website at www.spa.usace.army.mil/reg/. You are only authorized to conduct the work described in your submittal. To use this permit, you must ensure that the work complies with the terms and conditions listed in the permit.

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 species listed as threatened or endangered by the U.S. Fish and Wildlife Service within the permit area. We have also determined that this project will not affect historic properties listed, or eligible for listing, in the National Register of Historic Places. However, please note that you are responsible for meeting the requirements of general condition 18 on endangered species and general condition 20 on historic properties.

This verification is valid until March 18, 2017, unless the nationwide permit is modified, suspended, revoked or reissued prior to that date. The Corps will issue a public notice when the nationwide permits are reissued. If you commence or are under contract to commence the authorized activity before the date that the relevant nationwide permit(s) is modified, reissued or revoked you will have twelve (12) months from the date of the modification, reissuance, or revocation of the nationwide permits to complete the activity under the present terms and conditions of the nationwide permits. Continued confirmation that an activity complies with the terms and conditions, and any changes to the nationwide permit, is the responsibility of the permittee.

You must allow representatives from this office 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.

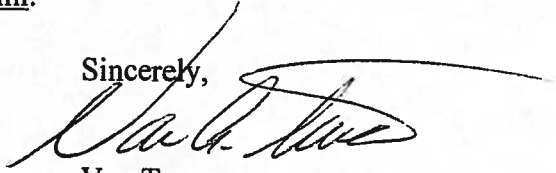
You must sign and submit to us the enclosed certification that the work, including any required mitigation, was completed in compliance with the nationwide permit. You should submit your certification within 30 days of the completion of work.

This permit is not an 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. You must possess the authority, including property rights, to undertake the proposed work.

If you have any questions concerning our regulatory program, please contact

at 719-543-6915 or by e-mail at van.a.truan@usace.army.mil. At your convenience, please complete a Customer Service Survey on-line available at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Van Truan', with a large, sweeping flourish extending to the right.

Van Truan
Chief, Southern Colorado
Regulatory Branch

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

Action Number: SPA-2011-00515-SCO

Name of Permittee: Colorado Springs Utilities

Nationwide Permit: No. 13 Bank Stabilization

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:

Van Truan
Albuquerque District, U.S. Army Corps of Engineers
200 South Santa Fe Avenue, Suite 301
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 _____

Date

Signature of Permittee