



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ALBUQUERQUE DISTRICT
1970 E 3RD AVE, STE. 109
DURANGO, CO 81301-5025

December 7, 2023

Regulatory Division

SUBJECT: No Permit Required – Action No. SPA-2023-00491, Town of Del Norte
Wastewater Improvements



This letter responds to your request for a determination of Department of the Army permit requirements for the proposed Town of Del Norte Wastewater Improvements located at approximately latitude 37.6771342035258, longitude -106.33155081997, in Rio Grande County, Colorado (Enclosure 1). The work, as described in your letter dated September 28, 2023, will consist of maintenance to the existing wastewater treatment facility in order to bring systems up to current testing requirements. We have assigned Action No. SPA-2023-00491 to this project. Please reference this number in all future correspondence concerning the project.

Based on the information provided, we have determined that a Department of the Army permit is not required since the project would not result in the discharge of dredged/fill material into waters of the United States. However please be advised that there are potential waters of the U.S. located in the vicinity of the project site and it is incumbent upon you to remain informed of any changes in the U.S. Army Corps of Engineers (Corps) Regulatory Program regulations and policy as they relate to your project. If your plans change such that waters of the U.S. could be impacted by the proposed project, please contact our office for a reevaluation of permit requirements.

This decision is based on an approved jurisdictional determination (JD) (Enclosure 2) that there are no waters of the United States on the project site. The basis for this JD is that the project site contains only a waste treatment system, which is excluded from

the definition of waters of the United States per 33 CFR 328.3(b)(1). A copy of this JD is also available at <http://www.spa.usace.army.mil/reg/JD>. This approved JD is valid for five years unless new information warrants revision of the determination before the expiration date.

You may accept or appeal this approved JD or provide new information in accordance with the Notification of Administration Appeal Options and Process and Request for Appeal (NAAOP-RFA) (Enclosure 3). If you elect to appeal this approved JD, you must complete Section II of the form and return it to the Army Engineer Division, South Pacific, CESPDPDS-O, [REDACTED]

[REDACTED] Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.

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

[REDACTED]

[REDACTED]

[REDACTED]

Enclosures

1. Location and Project Map

[REDACTED]





ENVIROMENTAL REPORT EXHIBIT

DATE
SEPTEMBER 2023

JOB NUMBER
0042.0012

SCALE
1"=500'