



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

January 11, 2023

Regulatory Division

SUBJECT: **REVISED** Jurisdictional Determination (SPA-2023-00102)



This letter is issued as a revision of our previous January 05, 2024 Jurisdictional Determination letter. We are responding to your request for a jurisdictional determination (JD) for aquatic resources within a 4.6-acre review area located directly south of County Road 574, centered at latitude 40.0820°, longitude -105.9306°, within the township of Granby, in Grand County, Colorado.

Based on the information provided, we have determined that the review area contains waters of the United States that are subject to regulation under Section 404 of the Clean Water Act. More specifically, waters of the United States within the review area includes 0.2 acre of palustrine scrub-shrub wetlands (Wetland A, Wetland B, Wetland C, Wetland D, Wetland F, and Wetland G), 0.006 acre of palustrine emergent wetland (Wetland M) and 363 linear feet of perennial stream channel (WoUS Ditch), as depicted on the enclosed November 7, 2023, map entitled SPA-2023-00102 Revised Project Map, prepared by SGM and revised by this office (Enclosure 1). These resources are waters of the United States because they have been determined to have a relatively permanent surface connection to the nearest downstream (a)(1) water.

Regarding other waters located within the review area, we have determined that Wetland H and Wetland I are not waters of the United States because they do not have relatively permanent surface connect with a downstream (a)(1) water. In addition, Basin A, Basin B, Basin C, Wetland J, Wetland K, Wetland L, and Wetland E are excluded from regulation as they are artificial lakes or ponds created by excavating or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing (or wetlands adjacent to those artificial lakes or ponds) ((b)(5)).

We are enclosing a copy of the AJD memorandum for record for your review area (Enclosure 2). A copy of this AJD letter is available at

<http://www.spa.usace.army.mil/reg/JD>. This approved JD is valid for 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date. If you intend to conduct work that could result in a discharge of dredged or fill material into waters of the United States, please contact this office for a determination of Department of the Army permit requirement.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of an NRCS Certified Wetland Determination with the local USDA service center, prior to starting work.

You may accept or appeal this approved JD or provide new information in accordance with the attached Notification of Administration Appeal Options and Process and Request for Appeal (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, CESPD-PDS-O, [REDACTED] within 60 days of the date of this notice. 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.

Please refer to identification number SPA-2023-00102 in any correspondence concerning this project. If you have any questions, please contact the project manager, [REDACTED].

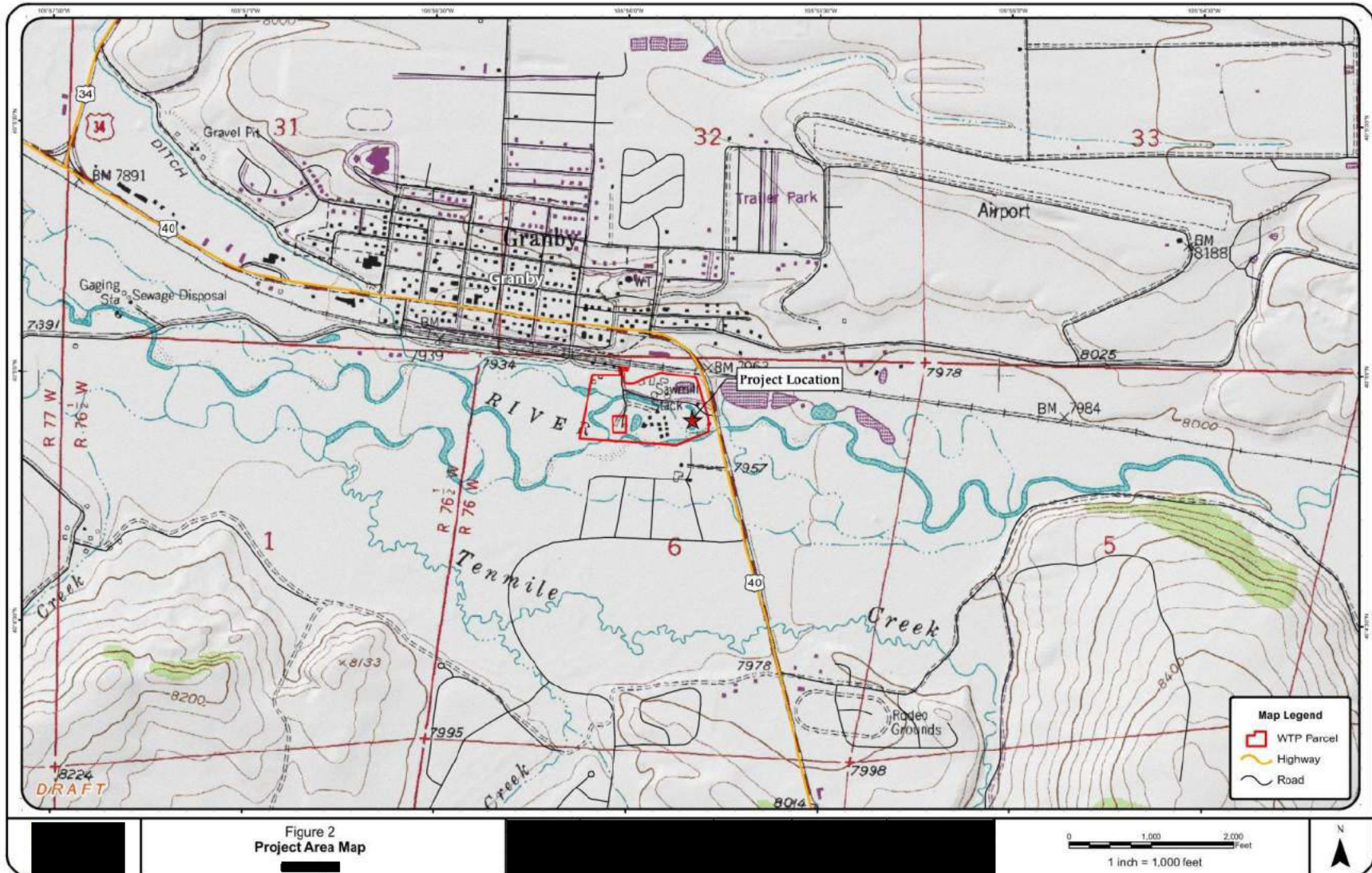
Sincerely,

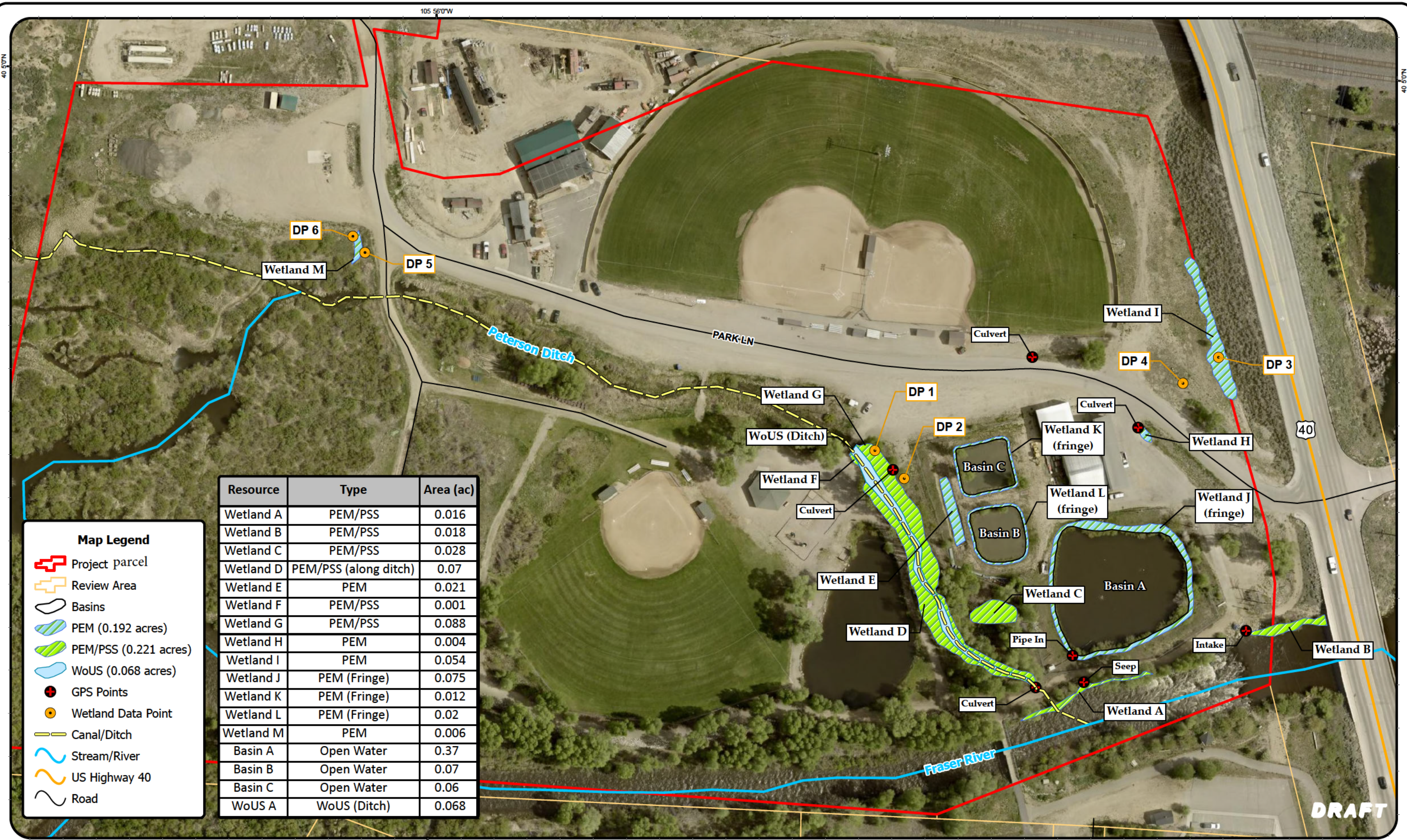
[REDACTED]

Enclosures

[REDACTED]

Vicinity Map





Resource	Type	Area (ac)
Wetland A	PEM/PSS	0.016
Wetland B	PEM/PSS	0.018
Wetland C	PEM/PSS	0.028
Wetland D	PEM/PSS (along ditch)	0.07
Wetland E	PEM	0.021
Wetland F	PEM/PSS	0.001
Wetland G	PEM/PSS	0.088
Wetland H	PEM	0.004
Wetland I	PEM	0.054
Wetland J	PEM (Fringe)	0.075
Wetland K	PEM (Fringe)	0.012
Wetland L	PEM (Fringe)	0.02
Wetland M	PEM	0.006
Basin A	Open Water	0.37
Basin B	Open Water	0.07
Basin C	Open Water	0.06
WoUS A	WoUS (Ditch)	0.068

Map Legend

Project parcel

Review Area

Basins

PEM (0.192 acres)

PEM/PSS (0.221 acres)

WoUS (0.068 acres)

GPS Points

Wetland Data Point

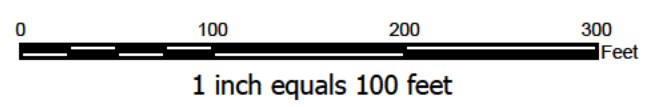
Canal/Ditch

Stream/River

US Highway 40

Road

SPA- 2023-00102 Revised Project Area



DRAFT