



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

May 27, 2010

Regulatory Division (SPK-2008-01183-DC)

Karen Spray
Colorado Oil and Gas Conservation Commission
P.O. Box 2651
Durango, Colorado 81302

Dear Ms. Spray:

We are responding to your request for a Department of the Army permit for the 4M Outcrop Methane Collection System project. This project involves activities, including discharges of dredged or fill material, in waters of the United States to construct a methane collection system. The project is located within the South Texas Creek, Section 8, Township 35 North, Range 7 West, Latitude 37.3153484127242°, Longitude -107.652695683395°, La Plata County, Colorado.

Based on the information you provided, the proposed activity, temporary impacts to approximately 0.021 acres of Palustrine emergent wetland and 0.025 acres of South Texas Creek, is authorized by Nationwide Permit Numbers 18 and 33. Your work must comply with the general terms and conditions listed on the enclosed Nationwide Permit information sheets and the following special conditions:

- 1) To ensure minimal impacts to water quality, all work within South Texas Creek shall occur during low flow periods.
- 2) To ensure impacts are temporary in nature, South Texas Creek and its abutting wetlands must be restored to its original condition as shown in the wetland delineation report submitted with your permit application. A final monitoring report must be submitted to the Corps Durango Office following your proposed three year monitoring period. The monitoring report can be submitted via e-mail and must contain a description of the vegetative community and photographs taken from reference locations.
- 3) You must sign the enclosed Compliance Certification and return it to this office, along with post-construction photographs, within 30 days after completion of the authorized work.

Attached to this verification is a preliminary jurisdictional determination (JD). You must sign and return the form to the Corps Durango Office prior to starting construction. If you are not in agreement with our determination on jurisdiction, please contact us and request an approved jurisdiction determination.

This verification is valid for two years from the date of this letter or until the Nationwide Permit is modified, reissued, or revoked, whichever comes first. All of the existing NWP's are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWP's. We will issue a public notice when the NWP's are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit. Failure to comply with the General Conditions of this Nationwide Permit, or the project-specific Special Conditions of this authorization, may result in the suspension or revocation of your authorization.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2008-01183-DC in any correspondence concerning this project. If you have any questions, please contact me at our Durango Regulatory Office, 799 E. 3rd Street, #2, Durango, Colorado 81301, email Kara.A.Hellige@usace.army.mil, or telephone 970-375-9452. For more information regarding our program, please visit our website at www.spk.usace.army.mil/regulatory.html.

Sincerely,

ORIGINAL SIGNED

Kara Hellige
Chief, Durango Office
Sacramento District

Enclosure

- 1) Map and Plans
- 2) Preliminary JD
- 3) Compliance Certificate

Copy furnished without enclosure

Ms. Julie Linn, LT Environmental, Inc, 2243 N. Main Avenue, Suite 3, Durango, Colorado 81301