



May 1, 2023

Regulatory Division

SUBJECT: Nationwide Permit Verification (SPA-2023-00220)

Grand Lake Villa, LLC
Attn: Ryan Oliver
9210 W 11th Avenue
Lakewood, CO 80215
ryan@inselfstorage.com

Dear Mr. Oliver:

We are responding to your preconstruction notification (PCN), dated April 20, 2023, submitted to us for verification of authorization under Nationwide Permit (NWP) 42 for the Oliver Boathouse project. The project site is located on Shallow Mountain Lake, approximately 0.7 mile southwest of the Town of Grand Lake at 337 Lake Kove Drive, centered at latitude 40.24827, longitude -105.83777, Grand County, Colorado.

Based on the information provided, we have determined that the Oliver Boathouse project involves the discharge of dredged or fill material into waters of the United States, subject to Section 404 of the Clean Water Act. The specific activities that require Corps authorization are the placement of 62 cubic yards of timber and native rock material into Shadow Mountain Lake to construct a 511-square-foot cribbing structure and the placement of 2.3 cubic yards of reinforced concrete into Shadow Mountain Lake to construct a bulkhead. The cribbing and bulkhead will facilitate a new 868-square-foot boathouse with a deck. The project will permanently impact approximately 0.02 acre of open water substrate and will be conducted as described in the referenced PCN.

We have determined that activities associated with the project are authorized by 2021 NWP 42 – Recreational Facilities. A summary of this NWP and the 2021 Colorado Regional Conditions are available on our website at www.spa.usace.army.mil/reg/nwp. Failure to comply with all terms and conditions of this NWP may result in the suspension or revocation of this authorization. As required by General Condition 30, you shall sign the enclosed Compliance Certification (Enclosure 1) and return it to this office within 30 days after completion of the authorized work. For specific information regarding compliance with water quality certification (WQC) requirements, please refer to our website at www.spa.usace.army.mil/reg/wqc.

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 have no effect on federally listed species or their critical habitat. Additionally, the project has no potential to cause effects on historic properties. However, these determinations may be invalidated if the project is not completed as authorized or you did not provide accurate information in your PCN.

This permit verification is valid until March 14, 2026, unless the NWP is modified, suspended, reissued, or revoked prior to that date. Continued confirmation that an activity complies with the

terms and conditions, and any changes to the NWP, is the responsibility of the permittee. Activities that have commenced, or are under contract to commence, in reliance on an NWP will remain authorized provided the activity is completed within 12 months of the date of the NWP's expiration, modification, or revocation.

This letter does not constitute 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, local, or tribal laws or regulations. The permittee and/or any contractors acting on behalf of the permittee must possess the authority and any other approvals required by law, including property rights, to undertake the proposed work.

The landowner must allow Corps representatives 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 permit.

We would appreciate your feedback on this permit action including your interaction with our staff or suggestions for improving our program. For more information about our program or to complete our Regulatory Program national customer service survey, visit our website at <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/>.

Please refer to identification number SPA-2023-00220 in any correspondence concerning this project. If you have any questions, please contact Robert Frank by email at robert.w.frank@usace.army.mil, or telephone at 970-243-1199 Extension 1017.

Sincerely,

Benjamin Wilson
Senior Project Manager
NW Colorado Branch

Enclosure

cc:

Steve Dahmer, Environmental Solutions, steve.dahmer@esinc.biz
Robert Davis, Grand County, rdavis@co.grand.co.us

COMPLIANCE CERTIFICATION

Action Number: SPA-2023-00220

Name of Permittee: Grand Lake Villa, LLC; Attn: Ryan Oliver

Nationwide Permit: NWP 42

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:

U.S. Army Corps of Engineers, Albuquerque District
400 Rood Avenue, Room 224
Grand Junction, Colorado 81501
SPA-RD-CO@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a 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 _____

Signature of Permittee

Date

Encl 1