



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, OMAHA DISTRICT  
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD  
LITTLETON, COLORADO 80128-6901

May 13, 2005

Mr. Cliff Franklin  
Department of Energy  
Rocky Flats Project Office  
10808 Highway 93, Unit A  
Golden, Colorado 80403-8200

**RE: Cleaning /Removing and Repairing Culverts, Tributaries at Rocky Flats  
Nationwide Permit No. 3, Corps File No. 200580288**

Dear Mr. Franklin:

Reference is made to the above-mentioned projects located at the sites shown on the attached sheet in Jefferson County, Colorado.

Based on the information provided, this office has determined that this work within Colorado is authorized by the **Department of the Army Nationwide Permit No. 3**, found in the January 15, 2002, Federal Register, Issuance of Nationwide Permits; Notice (67 FR 2077). Enclosed is a fact sheet, which fully describes this Nationwide Permit and lists the General Conditions, Section 404 Only Conditions, and Colorado Regional Conditions, which must be adhered to for this authorization to remain valid.

Although an Individual Department of the Army permit will not be required for this work, this does not eliminate the requirement that any other applicable Federal, state, tribal or local permits be obtained as required. Please be advised that deviations from the original plans and specifications of this project could require additional authorization from this office.

The applicant is responsible for all work accomplished in accordance with the terms and conditions of the nationwide permit. If a contractor or other authorized representative will be accomplishing the work authorized by the nationwide permit on behalf of the applicant, it is strongly recommended that they be provided a copy of this letter and the attached conditions so that they are aware of the limitations of the applicable nationwide permit. Any activity which fails to comply with all the terms and conditions of the nationwide permit will be considered unauthorized and subject to appropriate enforcement action.

This verification is valid until the nationwide permit is modified, reissued or revoked. The nationwide permit is scheduled to be modified, reissued or revoked prior to March 18, 2007. It is incumbent upon you to remain informed of changes to the nationwide permit. We will issue a public notice announcing the changes when they occur. Furthermore, if you commence or are under contract to commence this activity before the date the nationwide permit is modified or revoked, you will have twelve (12 months) from the date of the modification or revocation to complete the activity under the present terms and conditions of this nationwide permit. In compliance with general Condition 14, the attached "Certification of Completed Work" form (blue) must be signed and returned to this office upon completion of the authorized work and any required mitigation.

ADMIN RECORD

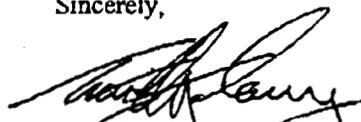
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A Department of the Army permit will not be required for the work that involves the removal of the culverts and flumes as long as the project does not require the placement of dredged or fill material resulting in a loss of waters of the U.S.

Should anyone at any time become aware that either an endangered and/or threatened species or its critical habitat exists within the project area, this office must be notified immediately.

If there are any questions call Mr. Terry McKee at (303) 979-4120 and reference Corps File No.200580288.

Sincerely,



Timothy T. Carey  
Chief, Denver Regulatory Office

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Enclosures

Copies Furnished:

- U.S. Fish & Wildlife Service
- Colorado Department of Public Health & Environment
- Environmental Protection Agency
- Colorado Division of Wildlife

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