



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

October 24, 2024

Regulatory Division (SPK-2024-00132)

Nibley City
Attn: Mr. Tom Dickinson
455 W 3200 S
Nibley, Utah 84321-6337
td@nibleycity.com

Dear Mr. Dickinson:

We are responding to your August 26, 2024, pre-construction notification for a Department of the Army (DA) permit for the 1300 West Road Widening project. The approximately 3.22-acre project site is located on 1300 West, between 3310 South and 3390 South, Latitude 41.6721°, Longitude -111.8634°, Nibley, Cache County, Utah (Enclosure 1).

Based on the information you provided to this office, the 1300 West Road Widening project involves the discharge of fill material into waters of the U.S. subject to Section 404 of the Clean Water Act. The specific activities that require DA authorization are the placement of fill material in wetlands to widen the existing road and install associated curb, gutter, sidewalk, and parking strip. These activities will result in the permanent loss of approximately 0.098 acre of emergent marsh wetlands. The proposed activities would be conducted in accordance with the "1300 West Half Road" plans, dated August 14, 2024 (Enclosure 2).

We have determined that activities in waters of the U.S. associated with the project are authorized by Nationwide Permit (NWP) number 14- Linear Transportation Projects. You must comply with all terms and conditions of the NWP (Enclosure 3) and applicable regional conditions (Enclosure 4). In addition, your work must comply with the following **special conditions**:

1. You shall comply with all terms and conditions of the December 8, 2020, State of Utah, Section 401 Water Quality Certification (Enclosure 5).
2. Prior to initiation any construction activities in waters of the U.S. authorized by this verification, you shall install and maintain construction best management practices (BMPs) on-site to prevent degradation to on-site and off-site avoided waters of the U.S. Methods shall include the use of appropriate measures to intercept and capture sediment prior to entering waters of the U.S., as well as erosion control measures along the perimeter of all work areas within 10 feet of on-site and off-site avoided waters of the U.S. to prevent the

displacement of fill material. All BMPs shall be in place prior to initiation of construction activities in waters of the U.S. authorized by this verification. You shall ensure the BMPs are inspected weekly, and maintained in good condition while ground disturbing activities are occurring, until construction activities in waters of the U.S. authorized by this verification are complete. All BMPs shall remain until construction activities within 20 feet of waters of the U.S. are completed and all disturbed soils are stabilized. You shall submit a description of and photo-documentation of your BMPs to this office within 30 days following commencement of authorized construction activities. Photos may be submitted electronically to SPKRegulatoryMailbox@usace.army.mil.

Within 30 days after completion of the authorized work, you must sign the enclosed Compliance Certification (Enclosure 6) and return it to this office.

This verification is valid until March 14, 2026, when the existing NWP's are scheduled to be modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date the NWP is modified, reissued, or revoked, you will have 12 months from the date of the modification, reissuance, or revocation to complete the activity under the present terms and conditions. Failure to comply with the general and regional conditions of this NWP, or the project-specific special conditions of this authorization, may result in the suspension or revocation of your authorization.

We would appreciate your feedback on this permit action including your interaction with our staff and processes. For more information about our program or to complete our Regulatory Program national customer service survey, visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Please refer to identification number SPK-2024-00132 in any correspondence concerning this project. If you have any questions, please contact me at the Bountiful Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010, by email at Michael.A.Pectol@usace.army.mil, or telephone at (801) 295-8380 ext. 8315.

Sincerely,

Michael Pectol
Senior Project Manager
Utah Regulatory Section

Enclosures

cc:

Mr. Coleman Kline, Civil Solutions Group, Inc. ckline@csg.work

COMPLIANCE CERTIFICATION

Permit File Name: 1300 West Road Widening

Action ID: SPK-2024-00132

Nationwide Permit Number: NWP 14- Linear Transportation Projects

Permittee: Nibley City
Attn: Mr. Tom Dickinson
455 W 3200 S
Nibley, Utah 84321-6337

County: Cache County

Date of Verification: October 24, 2024

Within 30 days after completion of the activity authorized by this permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Sacramento District
SPKRegulatoryMailbox@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 the terms and conditions of the permit your authorization may be suspended, modified, or revoked. If you have any questions about this certification, please contact the U.S. Army Corps of Engineers.

* * * * *

I hereby certify that the work authorized by the above-referenced permit, including all the required mitigation, was completed in accordance with the terms and conditions of the permit verification.

Permittee Signature

Date