



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

JUN 19 2017

Ref: 8WP-AAP

Colonel John W. Henderson
District Commander, Omaha District
U.S. Army Corps of Engineers
1616 Capitol Avenue, Ste. 9000
Omaha, Nebraska 68102

Re: NWO-2002-80762-DEN Moffat Collection System Project

Dear Colonel Henderson:

In accordance with the Clean Water Act Section 404(q) Memorandum of Agreement (MOA) between our agencies, the U.S. Environmental Protection Agency Region 8 has reviewed the draft Department of the Army Section 404 permit decision document and mitigation plan for the proposed Moffat Collection System Project. I will not be requesting a higher level of review of this decision pursuant to Part IV, Section 3(d) of the MOA. I would like to extend my compliments to your team for addressing our comments on the mitigation plan for this complex project in a professional and efficient manner.

In addition to the mitigation efforts required under Section 404 of the Clean Water Act to offset impacts to the aquatic environment, Chapter Two of the mitigation plan provided by Denver Water includes commitments to other regulatory requirements and non-regulatory environmental enhancements. These commitments include Denver Water's continued participation in the Learning by Doing Cooperative Effort, which it joined via Intergovernmental Agreement in 2012. I believe this cooperative effort offers a framework within which Denver Water and its partners can coordinate the regulatory requirements, voluntary enhancements, and monitoring results for effective adaptive management to ensure that diversions to the Front Range do not result in significant degradation of the Williams Fork and Fraser River watersheds.

Thank you for the opportunity to work closely with your team to resolve our questions on the mitigation plan. If you have any questions, please contact me at (303) 312-6298.

Sincerely,

Debra H. Thomas
Acting Regional Administrator

cc: Martha S. Chieply, Chief, Regulatory Branch, Operations
U.S. Army Corps of Engineers, Omaha District Office
Kiel Downing, State Regulatory Program Manager
U.S. Army Corps of Engineers, Denver Regulatory Office