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Subject: RE: Mtn Crossing Corps Permitting
From: Mike Fitzgerald <fitz@ecosphere-services.com>
Date: Thu, Sep 12, 2019 10:06 am
To: "keithm@summitae.com" <keithm@summitae.com>
Attach: image001.png

Keith,

Based on the letter you received today from the USACE, you can proceed with developing the development road and utility corridor under NWP #14. The USACE only analyzes the presence/absence of federally listed species and presence/absence of cultural resource within the area subject to their permit jurisdiction. The wet areas within the Mtn Crossing site addressed in the USACE letter do not provide habitat for the skyrocket. No other threatened or endangered species assessments are required related to your use of NWP #14.

As it relates to small areas of known or potentially suitable skyrocket habitat in other parts of the Mtn Crossing proposed development area; it is my understanding that you have negotiated some construction monitoring; possible limited transplants and installation of public information signage about the skyrocket that has been previously discussed with the USFWS.

As I understand it, you already have a CDOT access permit and consequently there are is no future federal nexus associated with developing the Mtn Crossing lots...unless a buyer wants to impact jurisdictional wetlands. Even then, skyrocket would not be associated with the USACE permit as it doesn't occur in wet areas or wetlands.

Let me know if you have any other questions.

Fitz

[Mike Fitzgerald](#) | Principal

(p) 970.382.7256 | (c) 970.759.4830

776 E. 2nd Avenue | Durango, CO 81301

www.ecosphere-services.com

