



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

May 31, 2023

Regulatory Division (SPK-2021-00090)

B&H Investment Properties, LLC
Attn: Mr. Steve Fenton
6130 East Last Camp Circle
Salt Lake City, Utah 84108
bthomas@bio-west.com

Dear Mr. Fenton

We are responding to your November 29, 2021, pre-construction notification for a Department of the Army (DA) permit for the Crimson Ridge Development project. The approximately 136-acre project site is located near Latitude 41.281358°, Longitude -111.829580°, Weber County, Utah (Enclosure 1).

Based on the information you provided to this office, the Crimson Ridge Development project involves fill material into 2,956 square feet (0.006 acres) of waters of the U.S. for the construction of a residential development subject to Section 404 of the Clean Water Act. The specific activities that require DA authorization are the construction of a recreational walkway, road, and culinary water line within a new multi-family residential development. These activities will result in the permanent loss of 1,012 square feet (0.02 acre) of wetlands, 193 linear feet (0.03 acre) of stream channel and temporary effects to approximately 582 square feet (0.01 acre) of wetlands. The proposed activities would be conducted in accordance with the "Wetland Impacts the Reserve at Crimson Ridge Cluster Sub Phase 2" plans dated April 24, 2023 (Enclosure 2).

We have determined that activities in waters of the U.S. associated with the project are authorized by Nationwide Permit Number (NWP) 29, Residential Developments. You must comply with all terms and conditions of the NWP and applicable regional conditions. Enclosed is information about the NWP terms and conditions (Enclosures 3 and 4). In addition, your work must comply with the following special conditions:

1. You shall comply with all terms and conditions of the enclosed December 8, 2020, Section 401 Water Quality Certification (Enclosure 5).

2. At least 10 days prior to initiation of construction activities in waters of the U.S. authorized by this verification, you shall notify this office in writing of the anticipated start date for the work. No later than 10 calendar days following completion of construction activities in waters of the U.S. authorized by this verification, you shall notify this office in writing that construction activities have been completed.

3. Prior to commencement of construction activities in waters of the U.S. authorized by this verification, you shall clearly identify the limits of disturbance in the field with highly visible markers (e.g. construction fencing, flagging, silt barriers, etc.). You shall maintain such identification properly until construction is completed, and the soils have been stabilized. You are prohibited from any activity (e.g. equipment usage or materials storage) that impacts waters of the U.S. outside of the permit limits.

4. Within 30 days following construction activities, you shall submit post-construction photographs of the project site, showing the work conducted, to the Corps. The camera positions and view angles of post-construction photographs shall be identified on a map, aerial photo, or project drawing. Construction locations shall include all major project features and waters of the United States.

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-2021-00090 in any correspondence concerning this project. If you have any questions, please contact me at the Utah Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010, by email at Nicole.D.Fresard@usace.army.mil, or telephone at (801) 295-8380 ext. 8321.

Sincerely,

FOR Nicole D. Fresard
Senior Regulatory Project Manager
Utah Regulatory Section

Enclosures

cc: Mr. Robert Thomas, Bio-West, Inc. (bthomas@bio-west.com)

COMPLIANCE CERTIFICATION

Permit File Name: B&H Investment - Unnamed Ephemeral Drainage

Action ID: SPK-2021-00090

Nationwide Permit Number: 29, Residential Developments

Permittee: B&H Investment Properties, LLC
Attn: Mr. Steve Frenton
6130 East Last Camp Circle
Salt Lake City, Utah 84108

County: Weber County

Date of Verification: May 31, 2023

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

Enclosure 6