

Section 404/10 and Section 408 Coordination

Kate Dadey

Chief, CA South Branch



S: June 6, 2016
May 5, 2016

CESPK-CO-OR

MEMO FOR Chief, Regulatory Division

SUBJECT: Regulatory Review of Central Valley Flood Protection Board Permit 19099 , Stanislaus County, Bill Guthrie

Please review the enclosed information to determine if the work requires a Department of Army permit under Section 10 of the Rivers and Harbor Act and/or Section 404 of the Clean Water Act.

RYAN LARSON, P.E.
Chief, Flood Protection and Navigation Section

Encl

CESPK-RD , 2016

MEMO FOR Chief, Flood Protection and Navigation Section

SUBJECT: Regulatory Review of Central Valley Flood Protection Board Permit 19099

☐ 1. Section 10 and/or Section 404 permit () has been issued for this work prior to 31 July 2014.

☐ 2. Section 10 and/or Section 404 permit application () is in process for this work.

☐ 3. Based upon the information provided, no Section 10 or Section 404 permit is needed.

☐ 4. A Section 10 and/or Section 404 permit is required, but a permit application has not been received. A letter was sent to the applicant on requesting that a completed DA permit application be submitted. A regulatory action () has been opened.

☐ 5. Additional information is needed in order to determine if a Section 10 and/or Section 404 permit is required. A letter was sent to the 408 applicant on requesting the additional information that is needed. A regulatory action () has been opened.

Project Location: The project is located crossing the San Joaquin River and continuing west on Lemon Avenue in Patterson, CA, at 37.520141N 121.097783W NAD83

PRINT NAME AND SIGN _____ Regulatory Specialist

FOR OPERATIONS AWARENESS (If items 4 or 5 are checked, this sheet will need to be re-circulated to Regulatory, items 1, 2, or 3 need to be checked prior to Operations being able to move forward with processing of the 408 Action.)

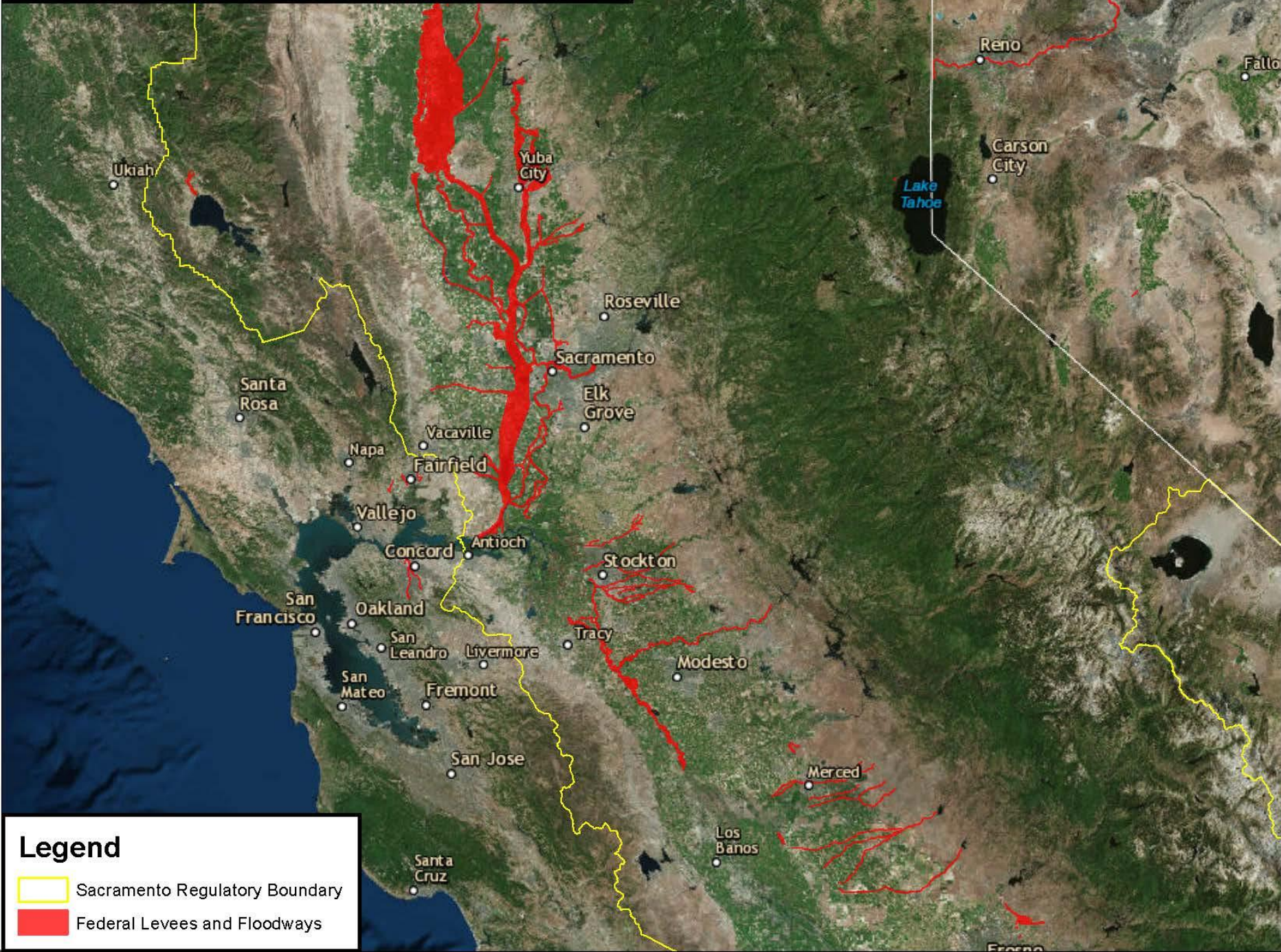


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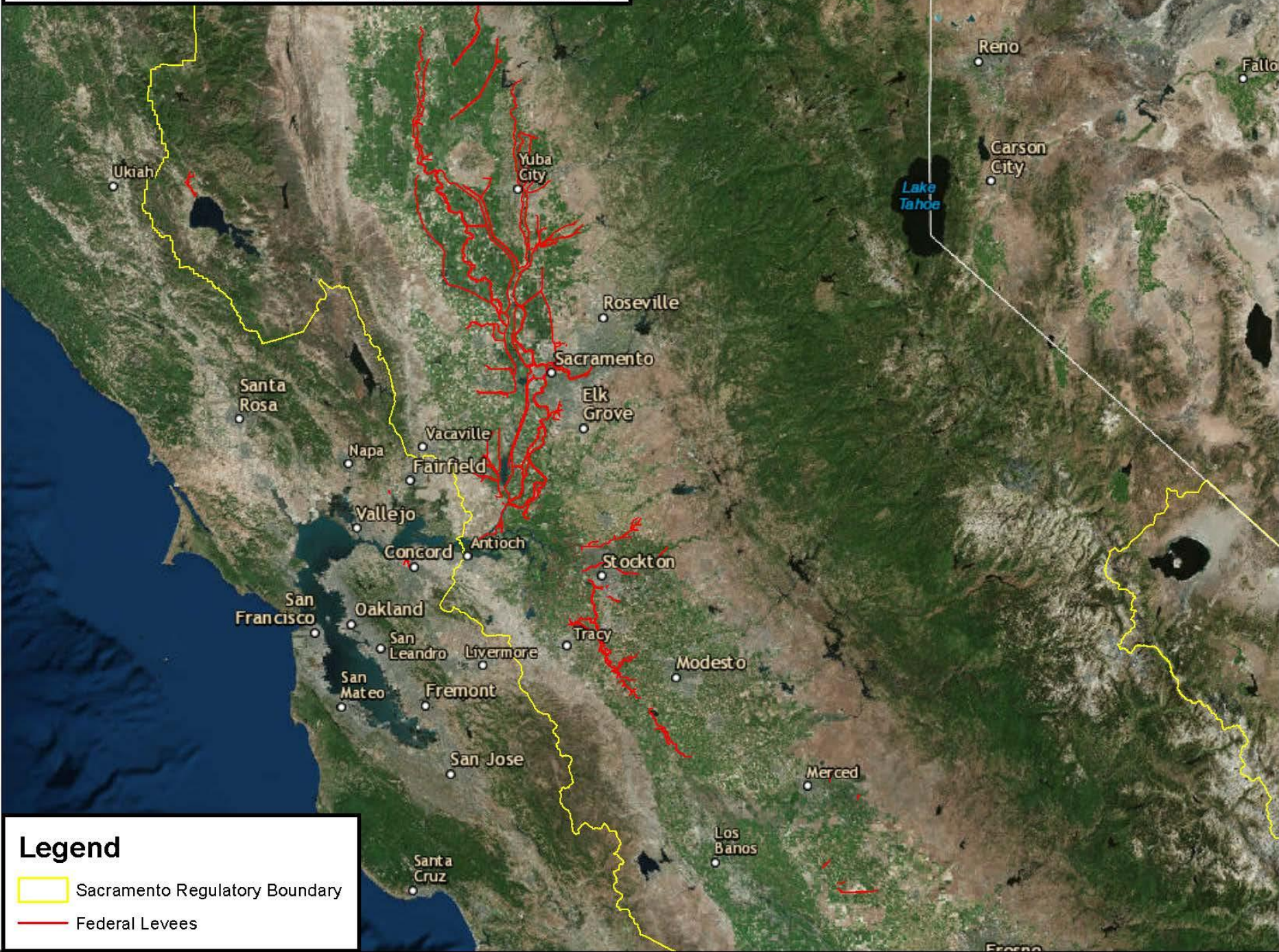
Sacramento District 408 Jurisdiction



Sacramento District 408 Jurisdiction



Sacramento District 408 Jurisdiction



SUBJECT: CO-OR Review of Section 10 and/or Section 404 permit
number SPK-2016-?????, in ????? County.

_____ 1. A flood control encroachment permit
letter (_____) has been

issued for this work (see attached copy of the signed letter).

_____ 2. A flood control encroachment permit
application (_____) is under review

for the proposed work.

_____ 3. Based upon the information provided,
an encroachment permission letter is not required from CO-OR for this
work.

_____ 4. A flood control encroachment permit
may be required for this work. The project sponsor, _____, has
been notified that there is work proposed that may affect the Federal
Project.

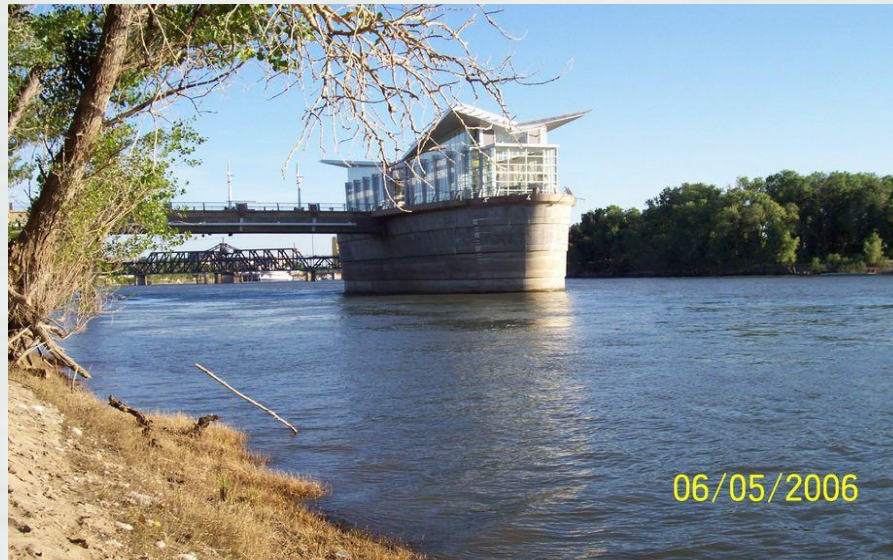
_____ 5. There may be issues with the proposed
work. Please see the attached memorandum for an explanation of the



issue(s).

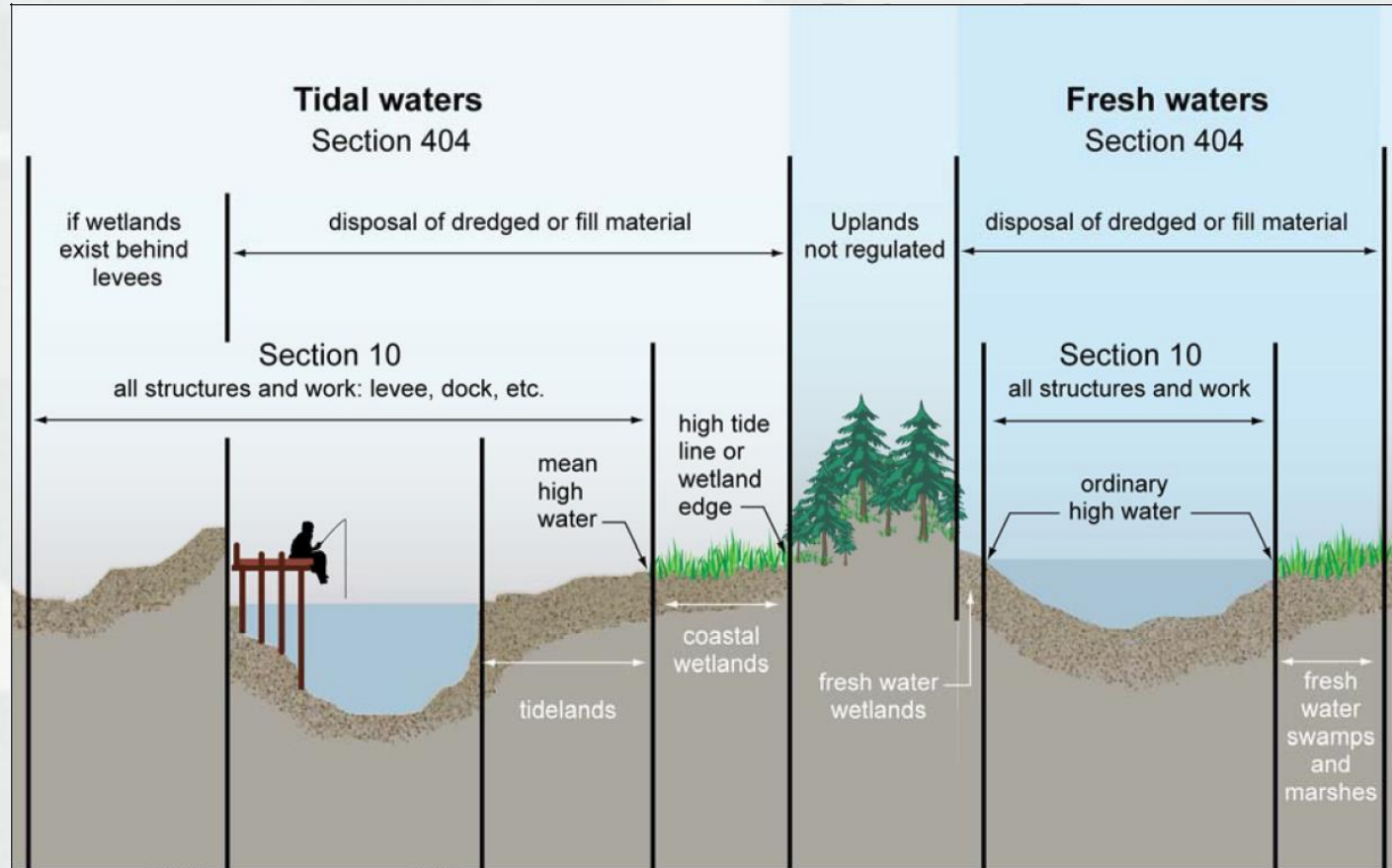
Navigable Waters

- Subject to Tidal Action – All of the Sacramento-San Joaquin Delta
- Used for Transportation of Interstate or Foreign Commerce
- Designated by Congress
 - American River
 - Sacramento River
 - Calaveras River
 - San Joaquin River
 - Lake Tahoe
 - Feather River
 - Middle River
 - Old River



Section 404 Jurisdiction

- Navigable Waters and Tributaries – ALL the Delta
- Interstate Waters and Tributaries
- Adjacent Wetlands



River



Permit Decision Criteria

- ▶ Public Interest Evaluation
- ▶ Compliance with Section 404(b)(1) Guidelines
- ▶ Section 401 Water Quality Certification
- ▶ Compliance with:
 - Section 106 National Historic Preservation Act
 - Section 7 Endangered Species Act
 - Magnuson-Stevens Act (Essential Fish Habitat)
 - Section 408

