



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

June 3, 2020

Regulatory Division (SPK-2020-00208)

Mr. Barry Baba
Teichert Materials
3500 American River Drive
Sacramento, California 95864
bbaba@teichert.com

Dear Mr. Baba:

We are responding to a May 20, 2020, request, made on your behalf, for confirmation of an Aquatic Resource Delineation for the Shifler project and an exemption to the permitting requirements of Section 404 of the Clean Water Act for the physical modification and/or relocation of two canals traversing the approximately 319-acre project site (i.e., Moore Canal and Magnolia Canal). The Shifler project site is located south of Cache Creek, north of County Road 22 and on the east side of County Road 94B, at Latitude 38.68369°, Longitude -121.85737°, within an unsectioned portion of Township 10 North, Range 1 East, Mount Diablo Meridian, approximately 3 miles west of the city of Woodland, in unincorporated Yolo County, California.

Based on available information, we concur with your aquatic resources delineation for the site, which consists of approximately 2.2 acres of irrigation ditch, as depicted on the enclosed December 5, 2019, *Figure 4. Aquatic Resource Delineation Map* drawing prepared by EcoSynthesis.

Based on the information you have provided, we have determined that changes proposed to the Moore and Magnolia canals are included in the types of activities covered by the Section 404(f) exemption found at 33 CFR 323.4(a)(3) Construction or maintenance of farm or stock ponds or irrigation ditches. For regulatory purposes, these canals are defined as irrigation ditches. Discharges associated with irrigation ditch maintenance or construction, including relocation, is included in this exemption. Therefore, a Department of the Army permit is not required for maintenance, construction, or relocation of these features. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented on site to achieve this end.

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Clean Water Act and does not refer to, nor affect jurisdiction over any waters present on site. Other federal, state, and local laws may apply to your activities. Therefore, in addition to contacting other federal and local agencies, you should also

contact state regulatory authorities to determine whether your activities may require other authorizations or permits. This confirmation of the extent of aquatic resources at the Shifler project does not constitute a determination of jurisdiction (JD). A JD is not required to process an application for a Department of the Army permit.

Please refer to identification number SPK-2020-00208 in any correspondence concerning this project. If you have any questions, please contact me at Colorado West Section, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at w.travis.morse@usace.army.mil, or telephone at (970) 243-1199 X 1014. For program information or to complete our Customer Survey, visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

Travis Morse
Senior Project Manager
CO West Section

Enclosure

cc:

Mr. Adrian Juncosa, EcoSynthesis, ajuncosa@ecosynthesis.com

Ms. Kate Wheatley, Taylor & Wiley, kwheatley@taylor-wiley.com

Ms. Heidi Tschudin, Tschudin Consulting Group, htschudin@sbcglobal.net

Mr. Max Stevenson, Yolo County Flood Control & Water Conservation District,
mstevenson@ycfcwcd.org

Ms. Kristin Sicke, Yolo County Flood Control & Water Conservation District,
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Ms. Elisa Sabatini, County of Yolo, elisa.sabatini@yolocounty.org

Ms. Stephanie Tadlock, Central Valley Regional Water Quality Control Board
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