



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1326 J STREET  
SACRAMENTO CA 95814-2922

RECEIVED

SEP 19 2019

CITY OF CHICO  
PLANNING SERVICES

November 17, 2014

Regulatory Division SPK-2014-00751

Mr. George Santos  
634 West 4<sup>th</sup> Avenue  
Chico, California 95926

Dear Mr. Santos:

We are responding to your consultant's June 20, 2014, request for an approved jurisdictional determination for the Ryan Avenue Project. The approximately 6.5-acre site is located near Mud Creek, Section 34, Township 23 North, Range 1 East, Mount Diablo Meridian, Latitude 39.8093186°, Longitude -121.850688°, in Chico, Butte County, California.

**Based on the information your consultant provided, we have determined that there are no waters of the United States within the study area, as depicted on the enclosed November 7, 2012, Figure 3, Ryan Avenue Project Delineation of the Waters of the United States (enclosure 1) drawing prepared and submitted by NorthStar Engineering on September 9, 2014.**

This verification is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331.

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Federal 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.

A Notification of Appeal Process (NAP) and Request for Appeal (RFA)(enclosure 2) form is enclosed. If you request to appeal this determination you must submit a completed RFA form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESPDPDO, 1455 Market Street, 2052B, San Francisco, California 94103-1399, Telephone: 415-503-6574, FAX: 415-503-6646.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 60 days from the date of this letter. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This determination has been conducted to identify the limits of Corps of Engineers' Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2014-00751 in any correspondence concerning this project. If you have any questions, please contact me at our California North Branch Office, Regulatory Division, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922, by email at [Leah.M.Fisher@usace.army.mil](mailto:Leah.M.Fisher@usace.army.mil), or telephone at 916-557-6639. For more information regarding our program, please visit our website at [www.spk.usace.army.mil/Missions/Regulatory.aspx](http://www.spk.usace.army.mil/Missions/Regulatory.aspx).

Sincerely,



Leah M. Fisher  
Senior Project Manager  
California North Branch  
Regulatory Division

Enclosures

cc: (w/enclosure 1)

Mr. Andrew Anderson, NorthStar Engineering, [aanderson@northstareng.com](mailto:aanderson@northstareng.com)

Mr. Scott Zaitz, CA Regional Water Quality Control Board, [szaitz@waterboards.ca.gov](mailto:szaitz@waterboards.ca.gov)

U.S. Fish and Wildlife Service, Endangered Species Division, [rustico\\_bigalbal@fws.gov](mailto:rustico_bigalbal@fws.gov)

CA Department of Fish and Wildlife, North Central Region, [R2Info@wildlife.ca.gov](mailto:R2Info@wildlife.ca.gov)

Butte County Development Services, Building Department, [DSBuilding@ButteCounty.net](mailto:DSBuilding@ButteCounty.net)



## **Mitigation Plan**

**460 Ryan Ave., Chico CA**

Santos Excavating, Inc. has developed this Mitigation Plan in accordance with the SWRCB Waste Discharge Requirements (WDR's) to prevent/control pollution that may occur to the environment during construction.

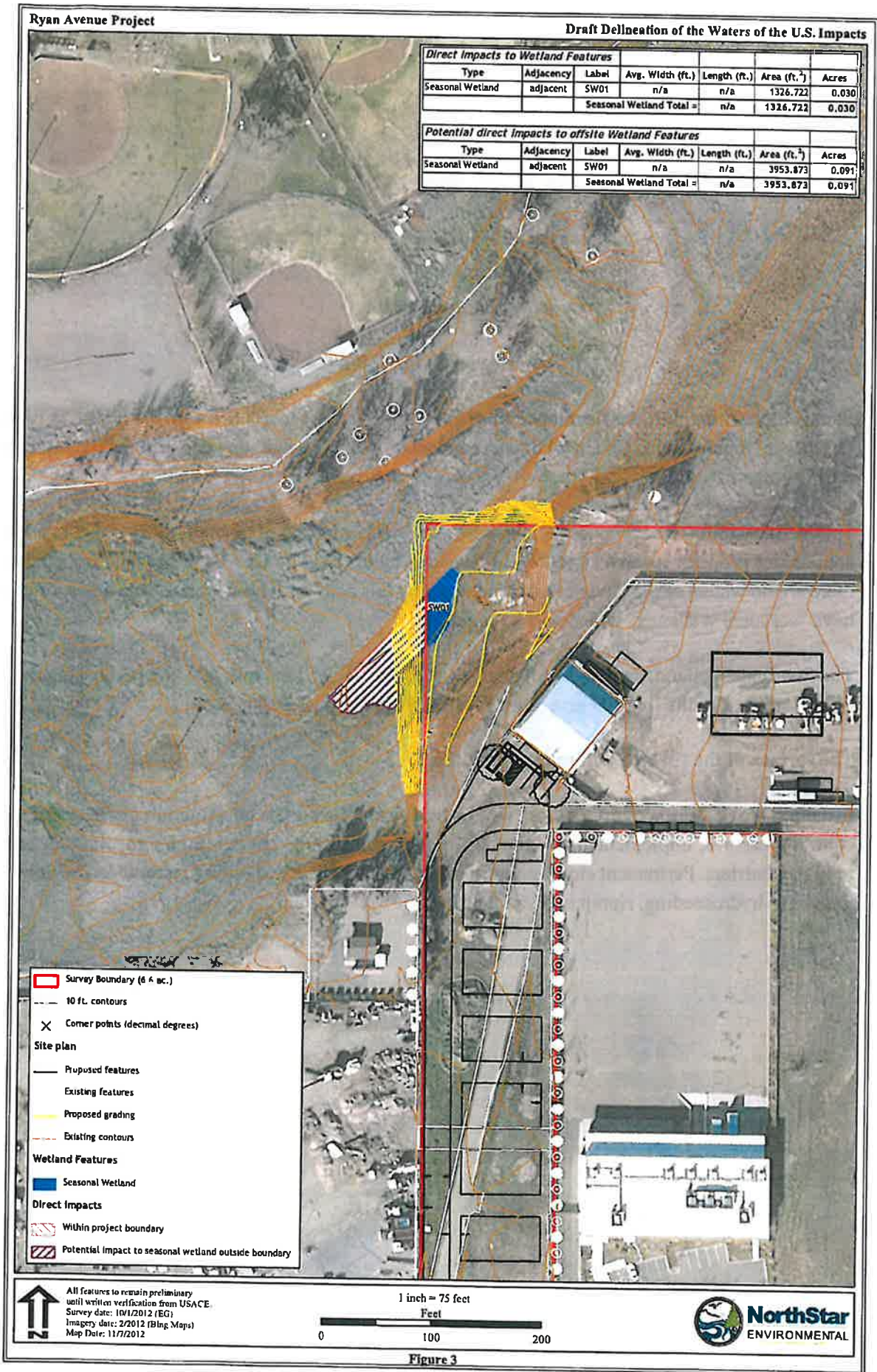
Santos Excavating, Inc. proposes to place fill material composed of uncontaminated dirt in a low area on our property located at 460 Ryan Ave. in Chico, CA. The USACOE has determined that there are no waters of the United States impacted by this activity. This area has been determined to have "seasonal wetlands" which will be impacted.

The Seasonal Wetland, shown on Attachment A as SW01, will be mitigated by purchasing of Conservation Credits for 0.03 acre from Westervelt Ecological Services.

The surface of the fill area will remain pervious.

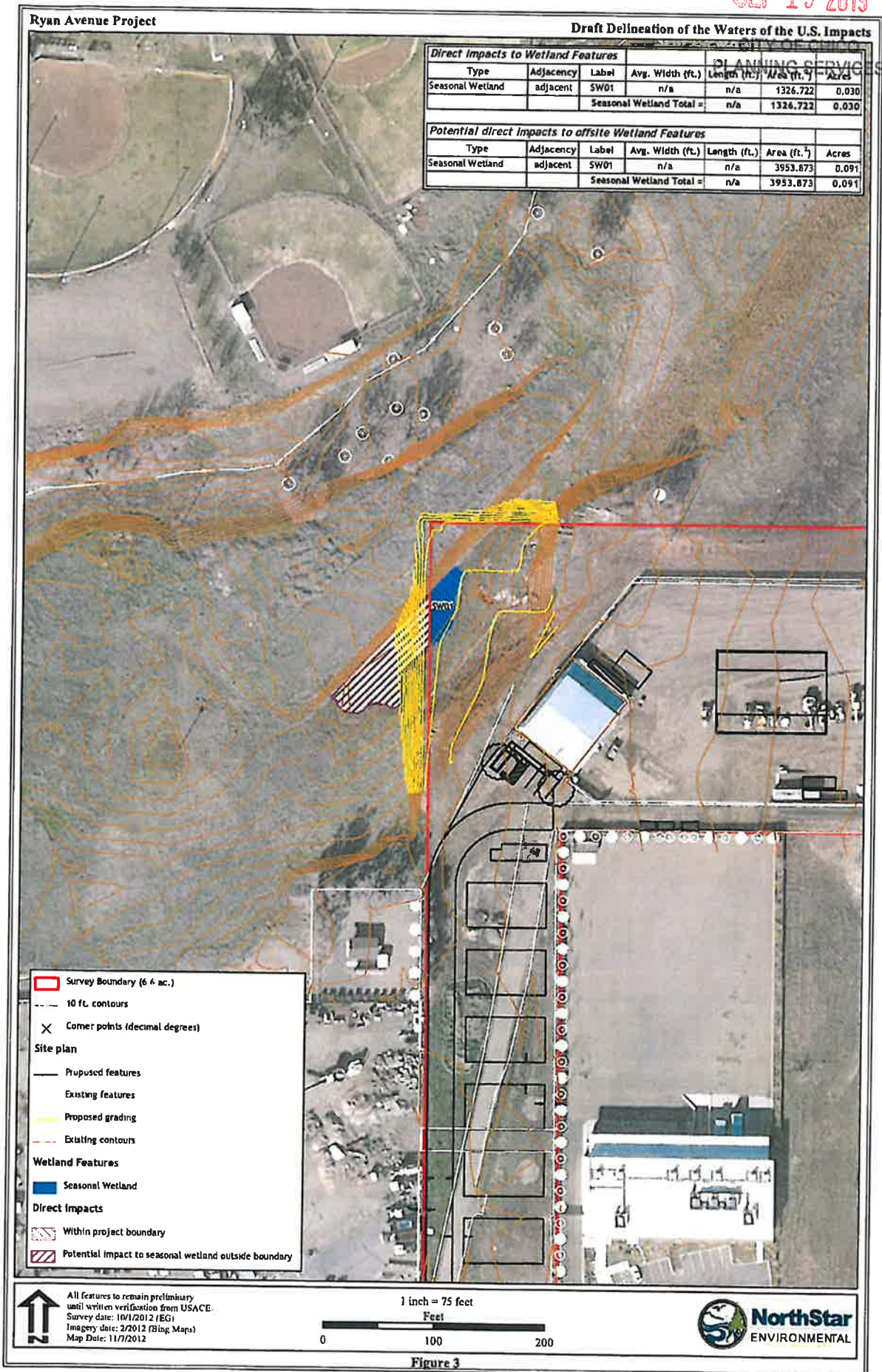
Installation of erosion control devices will be performed during the construction phase. Erosion control measures, implemented during construction may include but not limited to silt fence and sand bag barriers. Permanent erosion control measures implemented during restoration include but limited to hydroseeding, riprap and straw wattl







SEP 19 2018







CA.GOV Department of Water Resources BEST AVAILABLE MAPS (BAM)

480 Ryan Ave

Map Satellite

Layers

- County Boundary
- Federal Level Contour
- Non-Federal Level Contour
- 100-Year Floodplain
- FEMA Effective
- Regional/Special Studies
- USACE Comprehensive Study
- 200-Year Floodplain
- USACE Comprehensive Study
- 500-Year Floodplain
- FEMA Effective
- Regional/Special Studies
- USACE Comprehensive Study

Quick Start

Click any location on the map or enter a placename at the above input box and click on the search button to retrieve floodplain information.

A placename could be an address, a ZIP Code, or a city/county/school name. For example, 2001 W St, 95811, 1996 St and S St, Sacramento, Natomas, Sacramento State, Lake Greenhaven, SAM, Sacramento City College

Click help menu for more help or [FAQ](#) for the User Manual

Floodplain Information

Data Layer Definition

Flood Related Links

EMA

FEMA

Type here to search

Work Area

