



REPLY TO
ATTENTION OF

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

March 3, 2015

Regulatory Division SPK-2015-00180

City of Davis
Community Development & Sustainability Department
Attn: Ms. Katherine Hess
23 Russell Blvd., Ste. 2
Davis, California 95616

Dear Ms. Hess:

We are responding to your January 28, 2015 request for comments on the Nishi Gateway project. The project is located in Section 15, Township 8 N, Range 2 E, Mount Diablo Meridian, Latitude 38.536184°, Longitude -121.742691°, Davis, Yolo County, California.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps. The nearby Putah Creek is a jurisdictional water of the United States. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

To ascertain the extent of waters on the project site, the applicant should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

Please refer to identification number SPK-2015-00180 in any correspondence concerning this project. If you have any questions, please contact Lee Ann Bowers by email at Lee.A.Bowers@usace.army.mil, or telephone at (916) 557-5254. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,



Kathleen A. Dadey, PhD
Chief, California South Branch
Regulatory Division