



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

December 14, 2020

Regulatory Division (SPK-2001-00055)

Bureau of Reclamation
Attn: Mr. Ryan Davis
2800 Cottage Way
Sacramento, California 95825
rdavis@usbr.gov

Dear Mr. Davis:

We are responding to your December 9, 2020, request for the U.S. Army Corps of Engineers to participate as a cooperating agency under the National Environmental Policy Act for the preparation of an Environmental Impact Statement (EIS) for the North of Delta Off Stream Storage/Sites Reservoir Project. The project site is located near Stone Corral Creek, Section 16, Township 17 North, Range 4 West, Mount Diablo Meridian Survey, Latitude 39.31148°, Longitude -122.34162°, Colusa County, California.

Our jurisdiction over the proposed action is under the authority of Section 404 of the Clean Water Act. In accordance with Title 40 of the Code of Federal Regulations Part 1501.6, we agree to participate as a cooperating agency in the preparation of the EIS. Our involvement in the EIS process will be limited to those areas within our statutory authority. We will work with your office to develop a cooperating agency agreement that outlines our role and responsibilities as well as the coordination procedures for preparation of the EIS.

In addition, we recommend that you conduct early coordination with us to identify the action area and permit area for compliance with Section 7 of the Endangered Species Act (ESA), Section 305(b)(4)(B) of the Magnuson-Stevens Fisheries Conservation and Management Act (MSFCMA) and Section 106 of the National Historic Preservation Act (NHPA) pursuant to 50 CFR Part 402.07, 50 CFR 600.920(b) and 36 CFR 800.2(a)(2). Provided early coordination results in our concurrence that the action area and permit area adequately cover those areas under our regulatory authority, we can formally designate your agency to act on our behalf for compliance with ESA, MSFCMA and NHPA.

Please refer to identification number SPK-2001-00055 in any correspondence concerning this project. If you have any questions, please contact Matthew Roberts at

310 Hemsted Drive, Suite 310 Redding CA, 96002, by telephone at (530) 223-9538, or by email at *Matthew.J.Roberts@usace.army.mil*. For more information regarding our program, please visit our website at *www.spk.usace.army.mil/Missions/Regulatory.aspx*.

Sincerely,



Michael S. Jewell
Chief, Regulatory Division

cc:

Ms. Melissa Dekar, Bureau of Reclamation, mdekar@usbr.gov