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

STATE WATER RESOURCES
CONTROL BOARD
2012 FEB -1 AM 9:28
DIV OF WATER RIGHTS
SACRAMENTO

REPLY TO
ATTENTION OF

January 26, 2012

Regulatory Division SPK-2007-02147

Ms. Jennifer Watts
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, California 95812-2000

Dear Ms. Watts:

We are responding to your January 11, 2012, request for comments on the Upper American River & Chili Bar Hydroelectric Projects, FERC project 2155. The project is located on Section 25, Township 11 North, Range 10 East, Mount Diablo Meridian, Latitude 38.7673871441661°, Longitude -120.799716053488°, Town of Placerville, El Dorado County, California. Your identification number is SPK-2007-02147.

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. 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 Wetland Delineations", 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-2007-02147 in any correspondence concerning this project. If you have any questions, please contact Mr. Peck Ha at our California North Branch Office, Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922, email Peck.Ha@usace.army.mil, or telephone 916-557-6617. For more information regarding our program, please visit our website at www.spk.usace.army.mil/regulatory.html.

Sincerely,

Peck Ha
Regulatory Project Manager,
California North Branch