



BY FACSIMILE, ELECTRONIC MAIL, AND U.S. MAIL

March 8, 2006

James Pedri
Central Valley Regional Water Quality Control Board
Redding Branch Office
415 Knollcrest Drive
Suite 100
Redding, CA 96002

Re: Comment corrections and additions to record for Administrative Civil Liability Complaint No. R5-2006-0501.

Dear Mr. Pedri:

On March 7, 2006, O'Laughlin & Paris LLP submitted written comments on behalf of Tehama Marketplace Associates LLP ("TMA") for Administrative Civil Liability Complaint ("ACL") No. R5-2006-0501. It has come to our attention that certain references to specific paragraphs in the ACL may be incorrect. We also have an additional document for submission into the record.

We have attached corrected comments. There are no changes to these comments other than to the references to paragraphs and sentences of the ACL. No substantive changes have been made. For your convenience, these corrections are detailed below:

- Page 7, paragraph 1, sentence 4 of the comments, which refers to "Paragraph 14 of the ACL, the second sentence of bullet point two and all of bullet point four" should read "Paragraph 17(d) of the ACL should be excluded and its allegations dismissed, because it is unrelated to the occurrence of a discharge."
- Page 7, paragraph 2, sentence 2 of the comments, which refers to "Paragraph 14, bullet point one of the ACL, and the first sentence of Paragraph 17" should read "Specifically, Paragraph 17 should be excluded, because they relate solely to the dewatering pump and are unrelated to whether a discharge from the property actually occurred." Please ignore sentence 3 of that paragraph.

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- Page 7, paragraph 3, sentence 2 of the comments, which refers to “Paragraph 9” should read “Specifically, Paragraph 3 and all but the last sentence of Paragraph 4 of the ACL should be excluded, because they relate solely to changes in ownership of Linkside Place and are unrelated to any allegations of discharges from the property.”
- Page 8, paragraph 1, sentence 2 of the comments, which refers to “Paragraph 14 of the ACL” and “four specific series of violations contained in four separate bullet points” should read “Paragraph 17(b) of the ACL only refers to ‘ephemeral drainages and wetlands adjacent to the site.’”

Further, the attached letter from Thomas J. Cavanaugh, Chief of the Sacramento Office of the United States Army Corps of Engineers (“ACOE”), to Mr. William Isaac, dated August 3, 2005, should also be included in the record. The letter describes the current status of jurisdictional determinations and wetland delineations by the ACOE with respect to Linkside Place.

Thanks you for bringing these errors to our attention. We apologize for any confusion or inconvenience this may have caused. Please contact use if you have any questions.

Best Regards,

O’LAUGHLIN & PARIS LLP

By: 
Kenneth Petruzzelli

Cc: Tom Pinkos
Francis McChesney

Attachments