

Appendix E



ASHBY USA, LLC

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March 19, 2007

VIA EMAIL

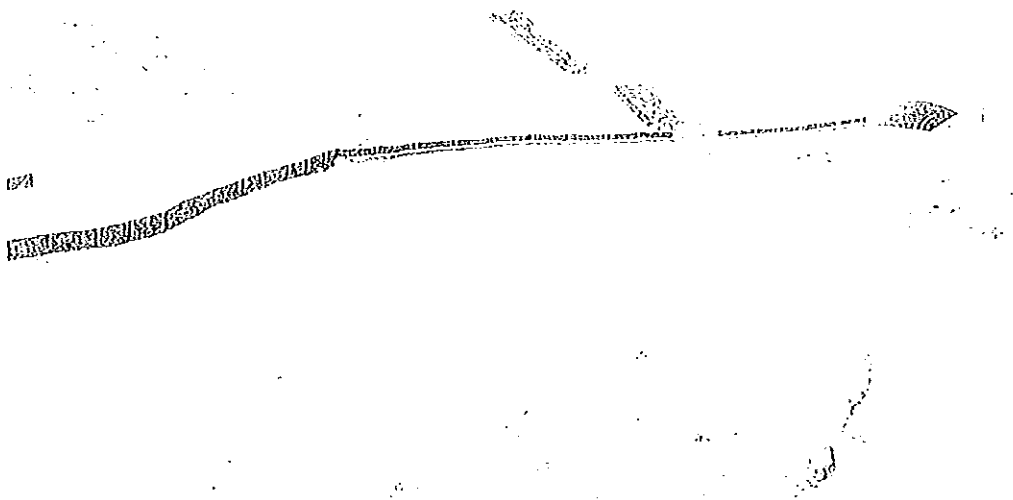
Kristen Schwall
Regional Water Quality Control Board-San Diego Region
9174 Sky Park Court, Suite 100
San Diego, California 92123-4353

Re: Removal of the Temporary Dams in the Long Valley Channel

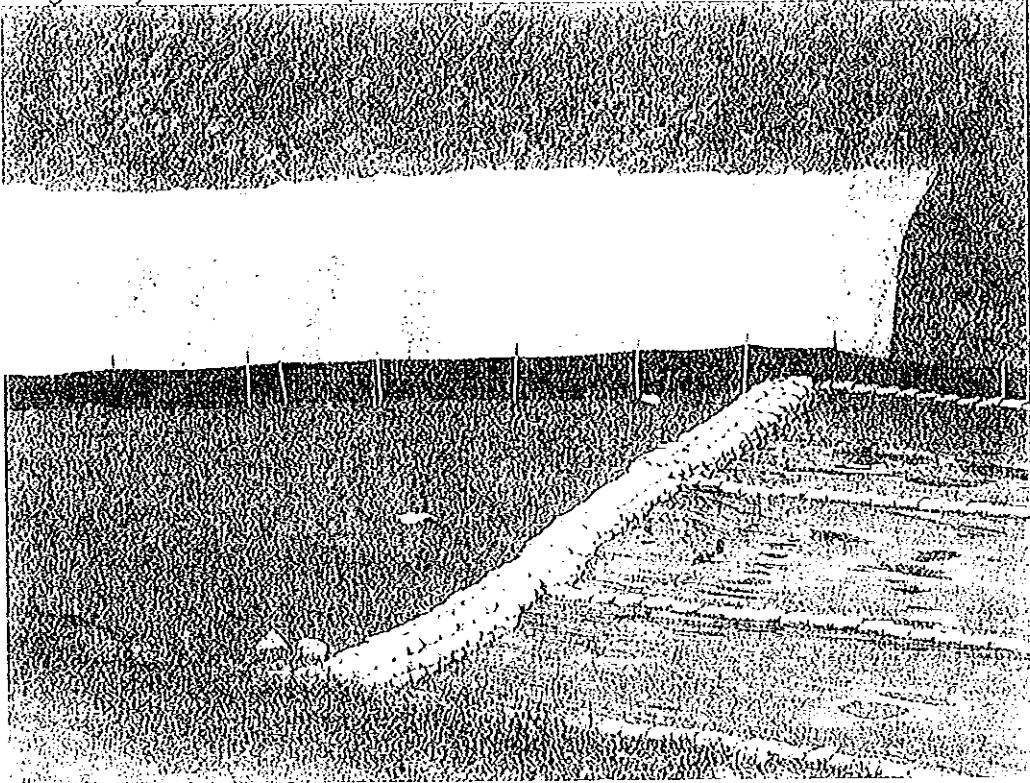
Dear Kristen:

As per your request on February 27, 2007 the temporary dams have been removed from the Long Valley Channel. Please see the photos below which reflect the current condition where the temporary dams were located:

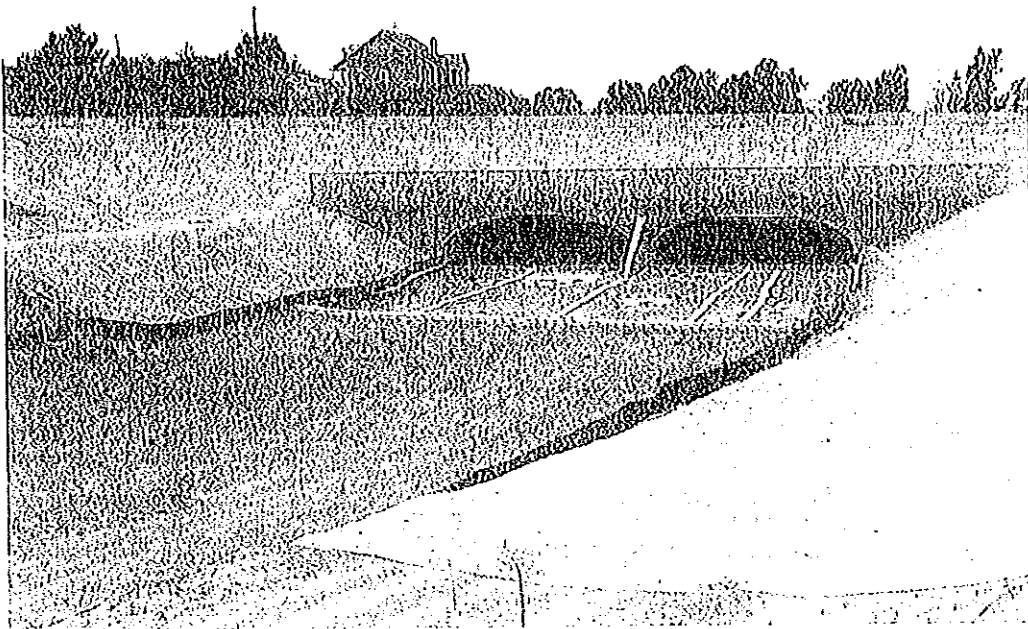
Long Valley Channel at Loop Road



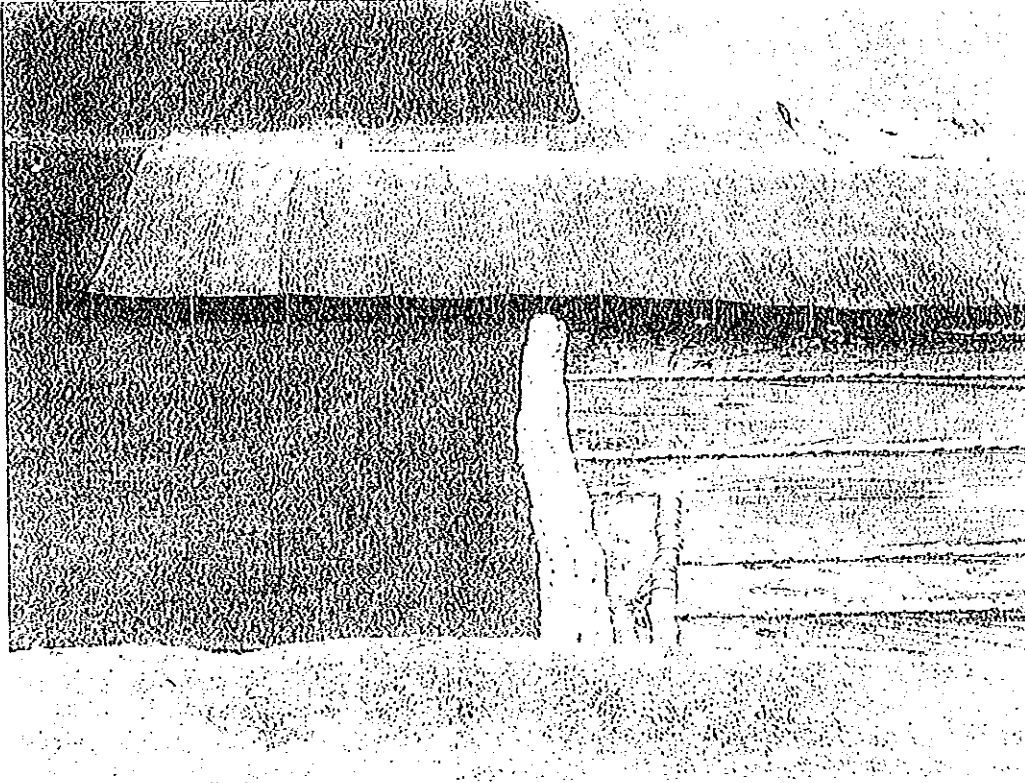
Long Valley Channel at Loop Road (side view)



Long Valley and Butterfield Stage Road



Long Valley and Butterfield Stage Road (side view)



I want to clarify that the primary purpose of these temporary dams was to protect the bridge structures during the construction of the bridges and that they were installed within the authorization provided by the Streambed Alteration Agreement issued by the California Department of Fish and Game (Notification No. 6-2001-205). In the Operator Notification the agreement states that we ... "intend to divert or obstruct the natural flow of....the Santa Gertrudis Creek and Long Valley Wash..." A copy of the Streambed Alteration Agreement has been attached for your convenience. The fact that the temporary dams serve as a BMP is an incidental consequence of the temporary dams. There was no intention of using the channel as a BMP with the exception of what is required by the Streambed Alteration Agreement.

Should you need any additional information or have any questions, please let me know. As always, I look forward to working with you.

Sincerely,

John Bergin
Project Manager