



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

REPLY TO
ATTENTION OF

March 23, 2009

Regulatory Division (SPK-2008-01828)

Mr. Steven Seidenglanz
Highway 70 Industrial Park
4801 Feather River Boulevard, Building 29
Oroville, California 95965

Dear Mr. Seidenglanz:

We are responding to your consultant's request for an approved jurisdictional determination for the Seidenglanz Project. This approximately 5.8-acre site is located in Section 31, Township 19 North, Range 4 East, MDB&M, Latitude 39.466577 North, Longitude -122.575604 West, City of Oroville, Butte County, California.

Based on available information, this site consists entirely of uplands. This disclaimer of jurisdiction is only for Section 404 of the Federal Clean Water Act. Other Federal, State, and local laws may apply to your activities. In particular, you may need authorization from the California State Water Resources Control Board and/or the U.S. Fish and Wildlife Service.

This verification is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331.

A Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form is enclosed. If you request to appeal this determination you must submit a completed RFA form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESPD-PDS-O, 1455 Market Street, San Francisco, California 94103-1399, Telephone: 415-503-6574, FAX: 415-503-6646.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 60 days from the date of this letter. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This determination has been conducted to identify the limits of Corps of Engineers' Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

We appreciate your feedback. At your earliest convenience, please complete our customer survey at http://www.spk.usace.army.mil/customer_survey.html. Your passcode is "wetlands".

Please refer to identification number SPK-2008-01828 in any correspondence concerning this project. If you have any questions, please contact Mr. Brian Vierria at our Sacramento District Regulatory Division, California North Branch, 1325 J Street, Room 1480, Sacramento, California 95814, email brian.e.vierria@usace.army.mil, or telephone (916) 557-7728. You may also use our website: www.spk.usace.army.mil/regulatory.html.

Sincerely,

Nancy A. Haley
Chief, California North Branch

Enclosures

Copy Furnished without enclosures:

Mr. Scott Zaitz, RWQCB, 415 Knollcrest Drive, Suite 100, Redding, California 96002
Ms. Jana Milliken, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room W-2605, Sacramento, California 95825
Ms. JaNelle Merry, SCS Engineers, 3843 Brickway Boulevard, Suite 208, Santa Rosa, California 95403

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