

DOCKETED

Docket Number:	06-AFC-05C
Project Title:	Panoche Energy Center
TN #:	203808
Document Title:	U.S. Army Corps of Engineers' Comment Response
Description:	N/A
Filer:	Dale Rundquist
Organization:	U.S. Army Corps of Engineers
Submitter Role:	Public Agency
Submission Date:	3/10/2015 2:40:58 PM
Docketed Date:	3/10/2015



REPLY TO
ATTENTION OF

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

March 9, 2015

Regulatory Division SPK-2006-00987

California Energy Commission
Attn: Mr. Dale Rundquist
Compliance Project Manager
Dockets Unit, MS-4, Docket No. 06-AFC-5C
1516 Ninth Street
Sacramento, California 95814-5512

Dear Mr. Rundquist:

We are responding to your February 13, 2015 request for comments on the PANOCHE ENERGY CENTER project. The California Energy Commission project identification number is 06-AFC-5C. The project is located in Section 35, Township 13 S, Range 21 E, Mount Diablo Meridian, Latitude 36.7587435736352°, Longitude - 119.65444722811°, Fresno County, California.

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 Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" 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-2006-00987 in any correspondence concerning this project. If you have any questions, please contact Ramon Aberasturi at California South Branch, by email at Ramon.Aberasturi@usace.army.mil, or telephone at 916-557-6865. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,



Kathleen A. Dadey, PhD
Chief, California South Branch
Regulatory Division

cc:

Gary R. Chandler, Panoche Energy Center, LLC, P.O. Box 95592, South Jordan, UT
84095-0592