From:

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To:

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Date:

10/24/2007 12:31 PM

Subject:

Sun Valley Project Site Visit with Corps of Engineers

CC:

<VYamada@edisonmission.com>, <Jenifer@njr.net>, <russell.huddleston@CH2M...</p>

Bob,

We met with the US Army Corps of Engineers (USACE) on Friday, October 19, 2007 at the Sun Valley Energy Project site and conducted a site visit with them to examine the drainage features located along the project's alternative electrical transmission lines and non-reclaimable transmission line. Attending for the USACE were Dan Swenson and Melanie Stalder. Attending for Edison Mission Energy were Jenifer Morris, Russell Huddleston, and I. The purpose of the visit was for the USACE to verify our delineation of the drainage features. In the materials we had previously submitted to the USACE, we had indicated that the transmission line and non-reclaimable wastewater line would cross ephemeral drainage features that may or may not be jurisdictional features, under the USACE's newly issued guidance for jurisdictional determinations regarding ephemeral drainages but that, in any case, these project features would avoid any impacts to them. We had previously provided maps on aerial photographs, showing the locations of the drainage features, as determined using Global Positioning System (GPS) devices and a Geographical Information System (GIS) mapping software. Dan and Melanie examined the various drainage features indicated on the delineation maps. Russ Huddleston described our wetland delineation field procedures and Jenifer and I described the project and project features.

The outcome of the field visit was that Dan declared that the USACE will not require that EME apply for a permit under Section 404 of the Clean-Water Act on the basis that the project will avoid the drainage features. Dan requested that we provide a map showing the precise locations of the transmission poles, to document more clearly on a map that we would avoid placing the poles in the drainage ditch that runs along the northern side of Matthews Road. We agreed to prepare a close-up map of the transmission line area, showing the pole locations, and to provide this to Melanie and Dan within a week or so. Dan agreed to responding with a letter indicating the USACE's position within approximately two weeks after receiving the close-up map.

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