



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

DOCKET	
05-AFC-3	
DATE	JAN 07 2008
RECD.	JAN 11 2008

January 7, 2008

REPLY TO
ATTENTION OF:

Office of the Chief
Regulatory Division

Douglas M. Davy
CH2MHILL
2485 Natomas Park Drive, Suite 600
Sacramento, California 95833

Dear Mr. Davy:

Reference is made to your jurisdictional determination request (No. SPL-2007-1086-MAS) dated December 8, 2006, concerning the Edison Mission Sun Valley Energy Project in the City of Romoland, Riverside County, California (as shown on attached drawings).

Based on the information furnished in your application and our September 6, 2007, site visit, we have determined that your proposed project is located completely in uplands and would not discharge dredged or fill material into a water of the United States or an adjacent wetland. This determination is based upon the project being built according to the attached drawings (Figures 2, 2a-2d, and 5.1-3). Therefore, the project is not subject to our jurisdiction under Section 404 of the Clean Water Act and a Section 404 permit is not required from our office.

This letter contains an approved jurisdictional determination for the Edison Mission Sun Valley Energy Project. If you object to this decision, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet (Appendix C) and Request for Appeal (RFA) form. If you request to appeal this decision you must submit a completed RFA form to the Corps South Pacific Division Office at the following address:

Appeal Review Officer
U.S. Army Corps of Engineers, CESPDPDS-O
1455 Market Street, Room 1760
San Francisco, CA 94103-1399
Tel. (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 C.F.R. Part 331.5, and that it has been received by the Division Office within 60 days of the date on the NAP. Should you decide to submit an RFA form, it must be received at the above address by February 13, 2008. It is not necessary to submit an RFA form to the Division Office if you do not object to the decision in this letter.

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. If you wish to submit new information regarding the approved jurisdictional determination for this site, please submit this information to Daniel P. Swenson at the letterhead address by February 13, 2008. The Corps will consider any new information so submitted and respond within 60 days by either revising the prior determination, if appropriate, or reissuing the prior determination. A revised or reissued jurisdictional determination can be appealed as described above.

If you have any questions regarding this matter, please contact Daniel P. Swenson at (213) 452-3414.

Please be advised that you can now comment on your experience with Regulatory Division by accessing the Corps web-based customer survey form at: <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel P. Swenson".

Daniel P. Swenson
Senior Project Manager
South Coast Branch
Regulatory Division

Enclosure