



REPLY TO  
ATTENTION OF

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

May 11, 2009

Regulatory Division (SPK-2009-00602)

RECEIVED  
MAY 15 2009  
NEVADA COUNTY  
COMMUNITY DEVELOPMENT AGENCY

Ms. Jessica Hankins  
Nevada County Planning Department  
950 Maidu Avenue, Suite 170  
Nevada City, California 95959

Dear Ms. Hankins:

We are responding to your April 23, 2009, request for comments on the Rincon Del Rio project. This project is located at Latitude 39.017130° North, Longitude 121.087340° West, in Section 34, Township 14 North, Range 8 East, and Section 4, Township 13 North, Range 8 East, MDB&M, near Lake of the Pines, in Nevada County, California. Your identification number is SPK-2009-00602.

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 Wetland Delineations", 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-2009-00602 in any correspondence concerning this project. If you have any questions, please contact Erin Hess at our California North Branch, 1325 J Street, Room 1480, Sacramento, California, 95814-2922, email [erin.e.hess@usace.army.mil](mailto:erin.e.hess@usace.army.mil), or telephone (916) 557-6740. You may also use our website: [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,



Erin E. Hess  
Project Manager, California North Branch

Copy Furnished:

Mr. James C. Young and Dorothy C. Young, Young Enterprises, LP, 10450 Rincon Road,  
Auburn, California 95602

Ms. Adrian Juncosa, EcoSynthesis, 16173 Lancaster Place, Truckee, California 96161

Mr. William Marshall, Storm Water and Water Quality Certification Unit, California Regional  
Water Quality Control Board, Central Valley Region, 11020 Sun Center Drive #200, Rancho  
Cordova, California 95670-6114

Mr. Kent Smith, California Department of Fish and Game, Region 2, 1701 Nimbus Drive,  
Rancho Cordova, California 95670-4599

U.S. Fish and Wildlife Service, Endangered Species Division, 2800 Cottage Way, Suite W2605,  
Sacramento, California 95825-3901

Mr. Rodney R. McInnis, Acting Regional Administrator, National Marine Fisheries Service, 650  
Capitol Mall, Suite 8-300, Sacramento, California 95814-4706