

ATTACHMENT F

ARMY CORPS OF ENGINEERS CONFIRMATION



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1455 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94103-1398

NOV 30 2007

Regulatory Branch

SUBJECT: File Number 2007-00602N

Mr. Peter Heinemann
Sea Ranch Inn LLC
921 Front Street, Suite 200
San Francisco, California 94111

Dear Mr. Heinemann:

This is in reference to the letter of July 6, 2007, requesting confirmation of the extent of U.S. Army Corps of Engineers (Corps) jurisdiction occurring on an approximate 52-acre parcel (APN 122-200-009), located within the Sea Ranch Community on Highway 1, approximately 3 miles north of Stewarts Point Skaggs Springs Road, and immediately south of Moonraker Road and Black Point Reach, in Sea Ranch, Sonoma County, California.

The enclosed map entitled, "Sheet 1, Confirmed Wetland Delineation Map, Sea Ranch Inn Project Site, Sea Ranch, California," in one (1) sheet date certified November 29, 2007, accurately depicts the extent and location of Corps jurisdiction within the project boundary area. The jurisdictional determination is based on the current conditions of the site, as verified during a field investigation of October 24, 2007, and other data included with your submittal. This jurisdictional delineation will expire in five (5) years from the date of this letter, unless new information or a change in field conditions warrants a revision to the delineation map prior to the expiration date.

Unless exempt by regulation, all proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. Section 1344). Waters of the United States generally include the territorial seas, all navigable waters, including waters subject to the ebb and flow of the tide, non-tidal interstate and intrastate waters and their tributary waters, including lakes, ponds, rivers, streams, intermittent streams, and adjacent wetlands, the use, degradation, or destruction of which could affect interstate or foreign commerce.

Section 404 waters within the project boundary area include seasonal wetlands and a stream channel that are part of a tributary system to the Pacific Ocean. The lateral extent of the wetlands is defined by the presence of hydrophytic vegetation, hydrology, and hydric soils.

You are advised that the Corps has established an Administrative Appeal Process, as described in 33 C.F.R. Part 331 (65 Fed. Reg. 16,486; March 28, 2000), and outlined in the enclosed flowchart and "Notification of Administrative Appeal Options, Process, and Request for

Appeal" form (NAO-RFA). If you do not intend to accept the approved jurisdictional determination, you may elect to provide new information to the District Engineer for reconsideration or submit a completed NAO-RFA form to the Division Engineer to initiate the appeal process. You will relinquish all rights to appeal, unless the Corps receives new information or a completed NAO-RFA form within sixty (60) days of the date of the NAO-RFA.

Should you have any questions regarding this matter, please call Bryan Matsumoto of our Regulatory Branch at 415-503-6786. Please address all correspondence to the Regulatory Branch and refer to the File Number at the head of this letter.

Sincerely,



for Jane M. Hicks
Chief, Regulatory Branch

Enclosures

Copy Furnished (w/ delineation map only):

CA RWQCB, Santa Rosa, CA

Monk and Associates (Attn: Geoff Monk)
1136 Saranap Avenue, Suite Q
Walnut Creek, California 94595