



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

REPLY TO
ATTENTION OF

June 7, 2010

RECEIVED

JUN 11 2010

Regulatory Division SPK-2010-00653

Paul Brunner
Three Rivers Levee Improvement Authority
114 Yuba Street, Suite 218
Marysville, California 95901-5273

TRIA

Dear Mr. Brunner:

This concerns your proposed Upper Yuba Levee Improvement Project near the Yuba Goldfields. The project is located on the Upper Yuba River, Section 11, Township 15 North, Range 4 East, MDB&M Survey, Latitude 39.1477203184366°, Longitude -121.525573297881°, Yuba County, California.

Based on the information you have provided, we have determined that the proposed work will not result in the discharge of dredged or fill material within waters of the United States. Therefore, a Department of the Army Permit is not required for this work. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented onsite to achieve this end.

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Federal Clean Water Act and does not refer to, nor affect jurisdiction over any waters present on site. Other Federal, State, and local laws may apply to your activities. Therefore, in addition to contacting other Federal and local agencies, you should also contact state regulatory authorities to determine whether your activities may require other authorizations or permits. In particular, your proposed activity may still be regulated by the State of California's Regional Water Quality Control Boards.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2010-00653 in any correspondence concerning this project. If you have any questions, please contact Brian Vierria at our California North Branch, 1325 J Street, Room 1480, Sacramento, California 95814, email Brian.E.Vierria@usace.army.mil, or telephone 916-557-7728. For more information regarding our program, please visit our website at www.spk.usace.army.mil/regulatory.html.

Sincerely,

Brian E. Vierria
Regulatory Project Manager
Sacramento District

Copy furnished

Linda Fisher, HDR, 2356 Iron Point Road, Suite 300, Folsom, California 95630