



DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
333 MARKET STREET  
SAN FRANCISCO, CALIFORNIA 94105-2197

RECEIVED  
MAY - 8 2006

REPLY TO

MAY 0 5 2006

MARIN COUNTY PUBLIC WORKS

Regulatory Branch

SUBJECT: File Number 29020N: Marin County Service Area #29 (Paradise Cay Homeowners);  
Maintenance Dredging

Mr. Tracy Clay  
Marin County Service Area #29  
P.O. Box 4186  
San Rafael, California 94913

Dear Mr. Clay:

Enclosed is your signed copy of a Department of the Army permit (Enclosure 1) to dredge approximately 150,000 cubic yards of sediments, over the life of the permit, from Paradise Cay in the Town of Tiburon, Marin County, California and dispose the suitable material at the Alcatraz Disposal Site (SF-11).

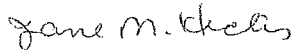
Please complete the appropriate parts of the "Project Status" form (Enclosure 2) for each episode, and return them to this office. You are responsible for ensuring that the contractor (or workers) executing the activity authorized herein is knowledgeable with the terms and conditions of this authorization.

**Be advised that your signed permit will NOT be an authorization to proceed. You must first fulfill the requirements of Special Permit Conditions 8b, 8c, and 8d on pages 2B and 2C. The conditions are for the submittal, to this office for approval, of a dredge operations plan, a before-dredge survey and a solid-debris management plan. Once these items have been submitted and approved, by this office, you will receive written authorization to commence your work. It is important that all the information requested in the above-mentioned Special Conditions is submitted as specified or the submittal might be considered incomplete. An incomplete submittal can be returned for completion, causing delays to your project. You are also responsible for all other general and special conditions contained in your permit.**



Should you have any questions please call Mr. Robert Lawrence of our Regulatory Branch at (415) 977-8020 or e-mail to robert.j.lawrence@usace.army.mil. If you wish to write, please address all correspondence to Mr. Robert Lawrence, Regulatory Branch and refer to the file number at the head of this letter.

Sincerely,



Philip T. Feir  
Lieutenant Colonel, U.S. Army  
Commanding

Enclosures

Copies Furnished (w/encl 1 only):

US F&WS, Sacramento, CA Att'n: Ryan Olah  
US EPA, San Francisco, CA Att'n: Brian Ross  
US NMFS, Santa Rosa, CA Att'n: Brian Mulvey, David Woodbury  
BCDC, San Francisco, CA Att'n: Brenda Goeden  
CA F&G, Monterey, CA Att'n: George Isaac  
CA RWQCB, Oakland, CA Att'n: Beth Christian  
CA SLC, Sacramento, CA Att'n: Donn Oetzel



**DEPARTMENT OF THE ARMY PERMIT**

**PERMITTEE:** Marin County Service Area #29

**PERMIT NO.:** 29020N

**ISSUING OFFICE:** San Francisco District

**NOTE:** The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate District or Division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below:

**PROJECT DESCRIPTION**

The permittee is authorized to initially remove approximately 35,000 cubic yards (cys) of sediment from the 4-acre (approximately) site and a total of approximately 150,000 cys over the life of the permit at Paradise Cay (Cay) in Tiburon, Marin County, California. The design depth for the Cay is -8 feet mean lower low water (MLLW) in the entrance channel and -7 feet MLLW in the internal waterways, plus an additional 2-foot over dredge allowance for both design depths. The material will be removed using a mechanical or hydraulic dredge and barged to the Alcatraz Disposal Site (SF-11). Work shall be conducted in accordance with the attached drawings entitled, "Vicinity Map; Paradise Cay (CSA # 29); Tiburon, Marin County, CA; Sheet 1," undated; "IN: Paradise Cay; AT: Tiburon, CA; COUNTY OF: Marin; STATE: Calif.; Sheet 2," undated; and "PLAN VIEW; Maintenance Dredging; IN: San Francisco Bay; AT: Paradise Cay; COUNTY: Marin; STATE: CA; Sheet 3," dated June 2006.

Prior to each dredging episode, the Dredge Material Management Office (DMMO) will evaluate the sediments to be dredged for disposal or reuse suitability. The DMMO includes representatives from the U.S. Environmental Protection Agency, San Francisco Bay Conservation and Development Commission (BCDC), San Francisco Bay Regional Water Quality Control Board (RWQCB), and the U.S. Army Corps of Engineers (Corps). The DMMO is tasked with approving sampling and analysis plans in conformity with testing manuals, reviewing the test results and reaching consensus regarding a suitable disposition for the material.

**PROJECT LOCATION:** County Service Area #29, Tiburon, Marin County, California.

**PERMIT CONDITIONS:**

**GENERAL CONDITIONS:**

1. The time limit for completing the work authorized ends on **June 30, 2016**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity,

although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

7. You understand and agree that, if future operations by the United States require the removal, relocation or other alteration of the structure or work authorized herein, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, you will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

#### **SPECIAL CONDITIONS:**

1. Dredging shall be limited to 1 June through 30 November each year for the following reasons:

a. In order to minimize impacts to listed species of steelhead Trout (*Oncorhynchus mykiss*), no dredging and disposal operations shall occur from December 1 through May 31, without prior consultation (pursuant to Section 7 of the Endangered Species Act) with and approval from the National Marine Fisheries Service and the Corps of Engineers.

b. In order to minimize impacts to listed species of Chinook salmon (*Oncorhynchus tshawytscha*), no dredging and disposal operations shall occur from December 1 through May 31, without prior consultation (pursuant to Section 7 of the Endangered Species Act) with and approval from the National Marine Fisheries Service and the Corps of Engineers.

c. No dredging activities shall occur during the sensitive Pacific herring spawning season, December 1 through March 1, or as determined by California Department of Fish and Game.

2. No dredging shall occur in areas with submerged aquatic vegetation (SAV). If the project cannot avoid impacts to SAV, the applicant must contact the Corps to initiate consultation with NMFS to create a compensatory mitigation plan. If SAV is encountered during the dredging operation, work must stop and the Corps must be contacted.

3. Additional special conditions found on pages 2A-D (attached) shall be adhered to at all times.

SPECIAL CONDITIONS TO PERMIT NUMBER 29020N

1. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
2. You must have a copy of this permit available on the vessel used for the authorized transportation and disposal of dredged material.
3. You must advise this office as per Special Condition 12, on page 2D, before you start dredging activities under the authorization of this permit.
4. To provide notification of activities affecting navigation, the permittee shall provide the following information by fax, e-mail or standard mail to the contact listed below at least two weeks before commencing work:
  - a. Name and telephone number of the dredge and or project manager.
  - b. Size and placement of any floating construction equipment.
  - c. Radio telephone frequencies and call signs of any marine equipment.
  - d. Anticipated work start and completion dates.

Commander (dpw)  
11<sup>th</sup> Coast Guard District  
Coast Guard Island, Bldg 50-3  
Alameda, California 94501-5100

POC:  
Local Notice to Mariners  
Waterways Management Branch  
PH: 510-337-2970  
FAX: 510-437-3423  
E-MAIL: D11LNM@uscg.mil

5. The Coast Guard Captain of the Port of San Francisco Bay may require modifications to marine construction equipment deployment or mooring systems to safeguard navigation while work is in progress.
6. All vessels operated for disposal of dredged material are required to participate in the Coast Guard's Vessel Traffic Control Service (VTS). Five minutes before each departure, the permittee shall notify the VTS by radio, via Channel 14, of the following: The name of vessel; time of departure from dredge site; and time of departure from disposal site.
7. When utilizing the Alcatraz Island Disposal Site (SF-11), the permittee shall dispose of all dredged material within a circular area of radius 1000 feet with center located at latitude 37°49'17"N; longitude 122°25'23"W. The specific location within the disposal area will be determined by the District Engineer upon approval of the Dredge Operation Plan (see below).
8. The permittee shall submit the following reports for review and comment to:

U.S. Army Corps of Engineers, San Francisco District  
Chief, Operations and Readiness Branch  
Attn: Mr. Robert Lawrence  
333 Market Street, 8<sup>th</sup> Floor  
San Francisco, California 94105-2197

a. Dredge Material Analysis: Submit, for approval, no earlier than 60 days prior to the proposed commencement of any authorized successive dredging episodes, dredge material analysis (Physical, Chemical, and Biological) sampling and testing information. **Please include the U.S. Army Corps of Engineers (Corps) permit number and dredge episode number with this submittal.** Also submit Regional Water Quality Control Board (RWQCB) water quality certification or waiver for disposal of the material. For each dredging episode, the permittee shall obtain the approval of the District Engineer for formulating specific sediment testing procedures for the Dredged Material Analysis. The testing protocol will be in accordance with the testing guidelines as published in the Corps and U.S. Environmental Protection Agency publication entitled, "Evaluation of Dredged Material Proposed for Discharge in Waters of the U.S. - Testing Manual" (The Inland Testing Manual or ITM, EPA-823-B-98-004), dated February 1998, and subsequent amendments thereto. The permittee shall provide a copy of the Dredged Material Analysis to the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Game concurrent with the San Francisco Bay Conservation and Development Commission's RWQCB's, and the Corps' receipt of this information. Agency comments submitted to the Corps within 15 calendar days thereafter will be given full consideration in the decision on dredged material disposal.

b. Dredge Operation Plan: Submit, for approval by this office, no earlier than 60 calendar days and no later than 20 calendar days before the proposed commencement of dredging, a plan which includes the following: **Corps permit number, dredge episode number**, a copy of the dredging contract or description of the work under which the contractor will do the permitted work; name and telephone numbers of the dredging contractor's representative on site; dredging start and completion dates; names of vessel; dump scow numbers or identification; bin or barge capacities; identification of work as either maintenance dredging or new dredging; discussion of proposed dredging procedures, as governed under Special Condition No. 11, with detailed drawings or specifications of the grid or centrifugal pump system; quantity of material to be removed; dredging design depth and typical cross section including overdepth; and date of last dredging episode and design depth. The Dredge Operational Plan shall also provide the following information:

1. The controls being established to insure that dredging operations occur within the limits defined by the channel dimensions and typical channel section. The horizontal and vertical positioning systems being utilized must be indicated as noted in 3, below.
2. The controls being established to insure that disposal of the dredged material at the disposal site is at the assigned location and depth. The horizontal and vertical positioning systems being utilized must be indicated as noted in 3, below.
3. Method of determining electronic positioning of dredge or dump scow during entire dredging operation at dredge site, disposal site and en route to and from disposal site.

**Please note that failure to provide all of the above information may result in delays to your project. When your Dredge Operation Plan has been approved, you will receive a written authorization to commence with your project.**

c. Pre-Dredge Survey: Submit no earlier than 60 calendar days and no later than 20 calendar days before commencement of dredging, a survey with accuracy to one-tenth foot that delineates and labels the following: areas to be dredged with overdepth allowances; existing depths; estimated quantities to be dredged to the design depth; and estimated quantities to the overdepth limit. **All surveys shall be signed by the permittee to certify their accuracy. Please include the Corps permit number and dredge episode number.**



Please note that failure to provide all the above information may result in delays to your project.

d. Solid Debris Management Plan: Submit no earlier than 60 calendar days and no later than 20 calendar days before commencement of work, a plan which describes measures to ensure that solid debris generated during any authorized dredging, demolition or construction operation is retained and properly disposed in areas not under Corps jurisdiction. At a minimum, the plan shall include the following: source and expected type of debris; debris retrieval method; Corps permit number and dredge episode number; disposal method and site; schedule of disposal operations; and debris containment method to be used, if floatable debris is involved.

Please note that failure to provide all the above information may result in delays to your project.

e. Post-Dredge Survey: Submit, within 30 days of the last disposal activity ("last" is defined as that activity after which no further activity occurs for 15 calendar days), a survey with accuracy to one-tenth foot that delineates and labels the areas dredged and the dredged depths. Also, include the Corps permit number, dredge episode number, dates of dredging commencement and completion, actual quantities dredged to the design depth, and actual quantities to the overdepth limit. The permittee shall substantiate the total quantity dredged by including calculations used to determine the volume difference (in cubic yards) between the Pre- and Post-Dredging Surveys and explain any variation in quantities greater than 15% beyond estimated quantities or dredging deeper than is permitted (design plus overdepth allowance). All surveys shall be accomplished by a licensed surveyor and signed by the permittee to certify their accuracy. A copy of the Post-Dredge Survey should be sent to the National Ocean Service for chart updating:

NOAA/National Ocean Service  
Nautical Data Branch  
N/CS26, SSMC3, Room 7230  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282.

9. Disposal Site Verification Log (DSVL): Submit on a weekly basis by noon Monday, the log (downloadable from <http://www.spn.usace.army.mil/conops/forms/dsvsl/pdf>) that enumerates work accomplished during the preceding week. Mail to:

U.S. Army Corps of Engineers, San Francisco District  
Attn: Mr. David Dwinell, DMMO  
333 Market Street, 8<sup>th</sup> Floor  
San Francisco, California 94105-2197;

FAXed to Ms. Shelah Sweatt at (415) 977-8495; or e-mail to [shelah.sweatt@usace.army.mil](mailto:shelah.sweatt@usace.army.mil). Please include the Corps permit number and dredge episode number. The log will be provided when the Corps approves the Dredge Operation Plan and authorizes the commencement of the dredging.

10. Overflow requirements:

- a. No overflow or decant water shall be discharged from the barge, with the exception of spillage incidental to mechanical dredge operations.
- b. During transportation from the dredging site to the disposal site, no material shall be permitted to overflow, leak or spill from barge, bins or dump scows.
- c. For hopper dredge only, during dredging operations, overflow shall be limited to a

maximum of 15 minutes. Adjustments to the dredging operation may be required to insure that once overflow commences, it will not exceed the 15-minute limit.

d. For approved sand dredging, overflow will not exceed 15 minutes or the economic load, whichever occurs first.

11. The permittee shall ensure that all dredged material is slurried prior to disposal to prevent any accumulation or build up of material at the disposal site. All dredged material shall be slurried in one of the following manners:

a. Dredged material will be either pumped with a centrifugal pump prior to leaving the dredge site for the disposal site; or,

b. If the material is mechanically dredged, passed through a debris grid, with a maximum opening size of 12 inches by 12 inches that will cover the entire loading area of the dump scow. Everything that does not pass through the grid will be considered solid debris and shall be disposed in areas outside of Corps jurisdiction. All such material shall be promptly removed from the grid at the end of each 8 hour shift or sooner.

12. The permittee or dredge contractor shall inform this office when: 1) a dredge episode actually commences, 2) when dredging is suspended (suspension is when the dredge contractor leaves the dredge site for more than 48 hours for reasons other than equipment maintenance), 3) when dredging is restarted, and 4) when dredging is complete. Each notification should include the Corps permit number and dredge episode number. The information can be sent to the attention of Mr. Robert Lawrence, in writing to the address below; FAXed to (415) 977-8483; e-mailed to robert.j.lawrence@usace.army.mil or via telephone message at (415) 977-8020.

U.S. Army Corps of Engineers, San Francisco District  
Chief, Operations and Readiness Branch  
Attn: Robert Lawrence  
333 Market Street, 8<sup>th</sup> Floor  
San Francisco, California 94105-2197

13. The permittee, as directed by the District Engineer under authority pursuant to the policies and procedures of 33 CFR 325.7, may be required to modify disposal schedules and monthly disposal quantities for particular dredging episodes.

14. The permittee shall allow the dredging area and equipment to be inspected by the Corps staff upon request.

15. For each dredge episode, the permittee shall be responsible for obtaining a letter of water quality certification from the Regional Water Control Quality Board and authorization from the San Francisco Bay Conservation and Development Commission (BCDC). Water quality certification and BCDC authorization will be a prerequisite to the District Engineer's decision to approve or disapprove specific dredge episodes pursuant to the policies and 33 CFR 325.2(b)(1)(ii) and 325.2(b)(2)(ii).


16. If a land, ocean, or other aquatic disposal site becomes available for use during the life of the permit, the permittee shall evaluate these disposal alternatives, taking into consideration cost, existing technology, and logistics in light of the overall project purpose to facilitate compliance with the 404(b)(1) Guidelines (40 CFR 230). This evaluation shall be submitted to the Corps at least 60 calendar days before commencement of subsequent dredging episodes. The District Engineer, upon review of this information and after consultation with other resource agencies, may direct the permittee to use such sites in lieu of or in addition to the Carquinez Disposal Site (SF-9), under authority of 33 CFR 325.7 and 40 CFR 230.10(a).

- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

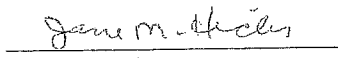
6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
\_\_\_\_\_  
(PERMITTEE)

4-28-06  
\_\_\_\_\_  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
\_\_\_\_\_  
Philip T. Feir  
Lieutenant Colonel, U.S. Army  
District Engineer

5/5/06  
\_\_\_\_\_  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)

**FURTHER INFORMATION:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

- (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization:

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

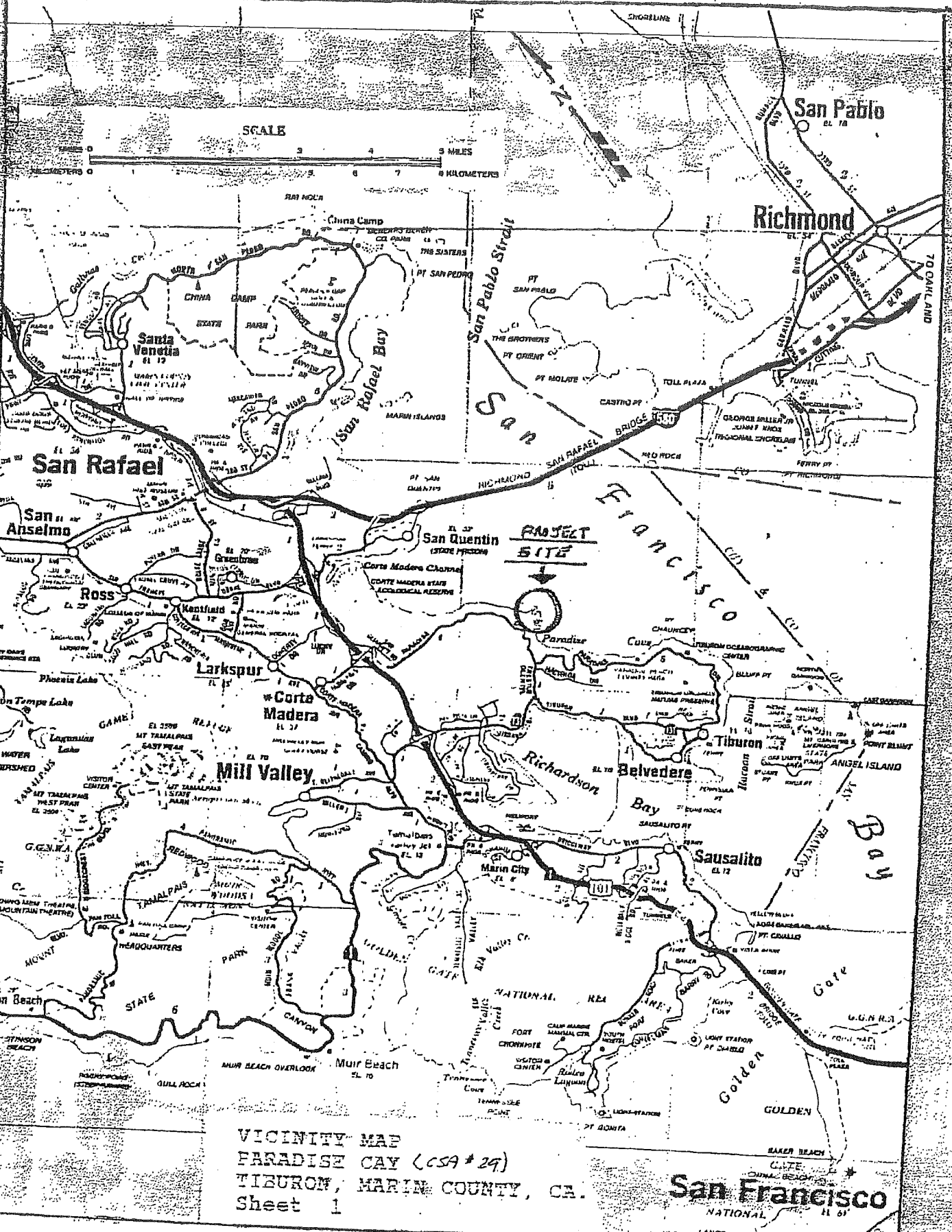
3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate. (See Item 4 above.)

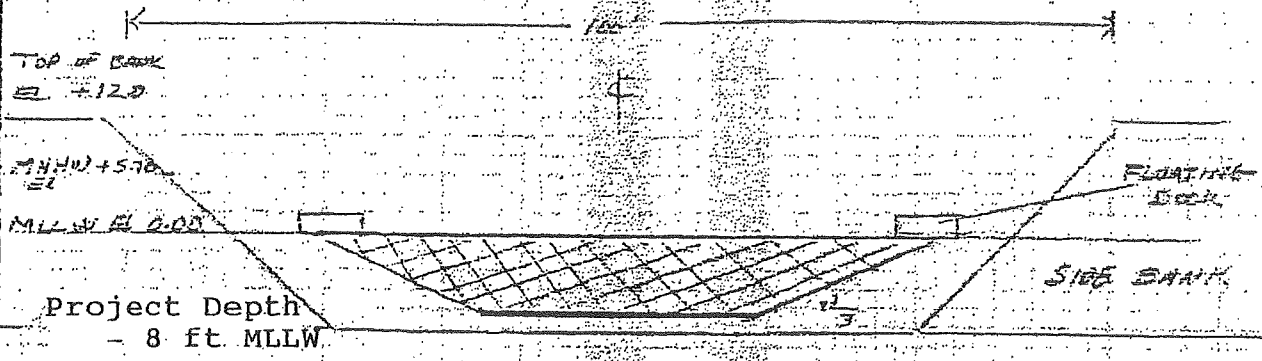



SCALE  
 0 2 4 6 MILES  
 0 2 4 6 KILOMETERS

PROJECT SITE

VICINITY MAP  
 PARADISE CAY (CSA # 29)  
 TIBURON, MARIN COUNTY, CA.  
 Sheet 1

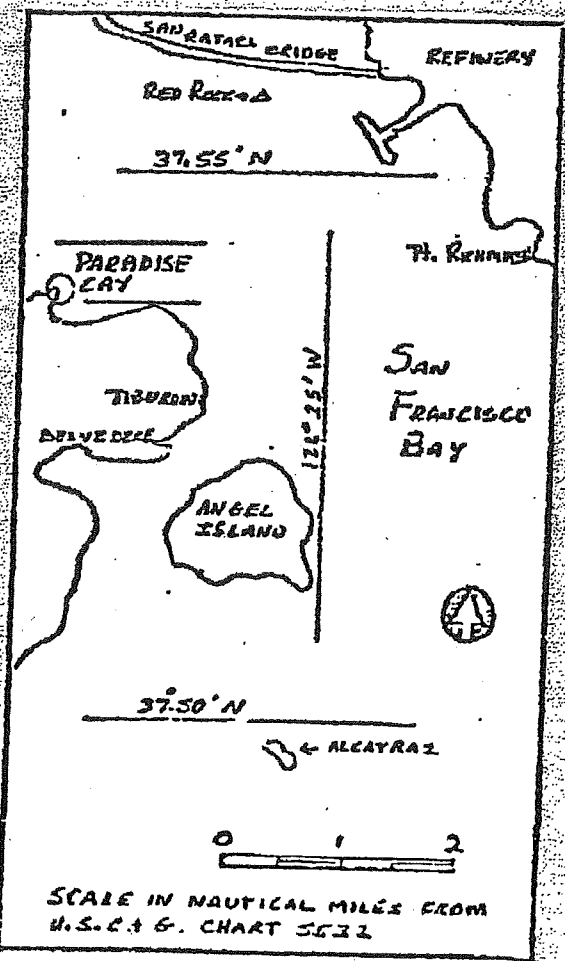
San Francisco  
 NATIONAL LANDS END



 SECTION TO BE MAINTAINED

AVERAGE CANAL CHANNEL TROUBLE

HORIZONTAL SCALE 1" = 20'  
VERTICAL SCALE 1/4" = 2'

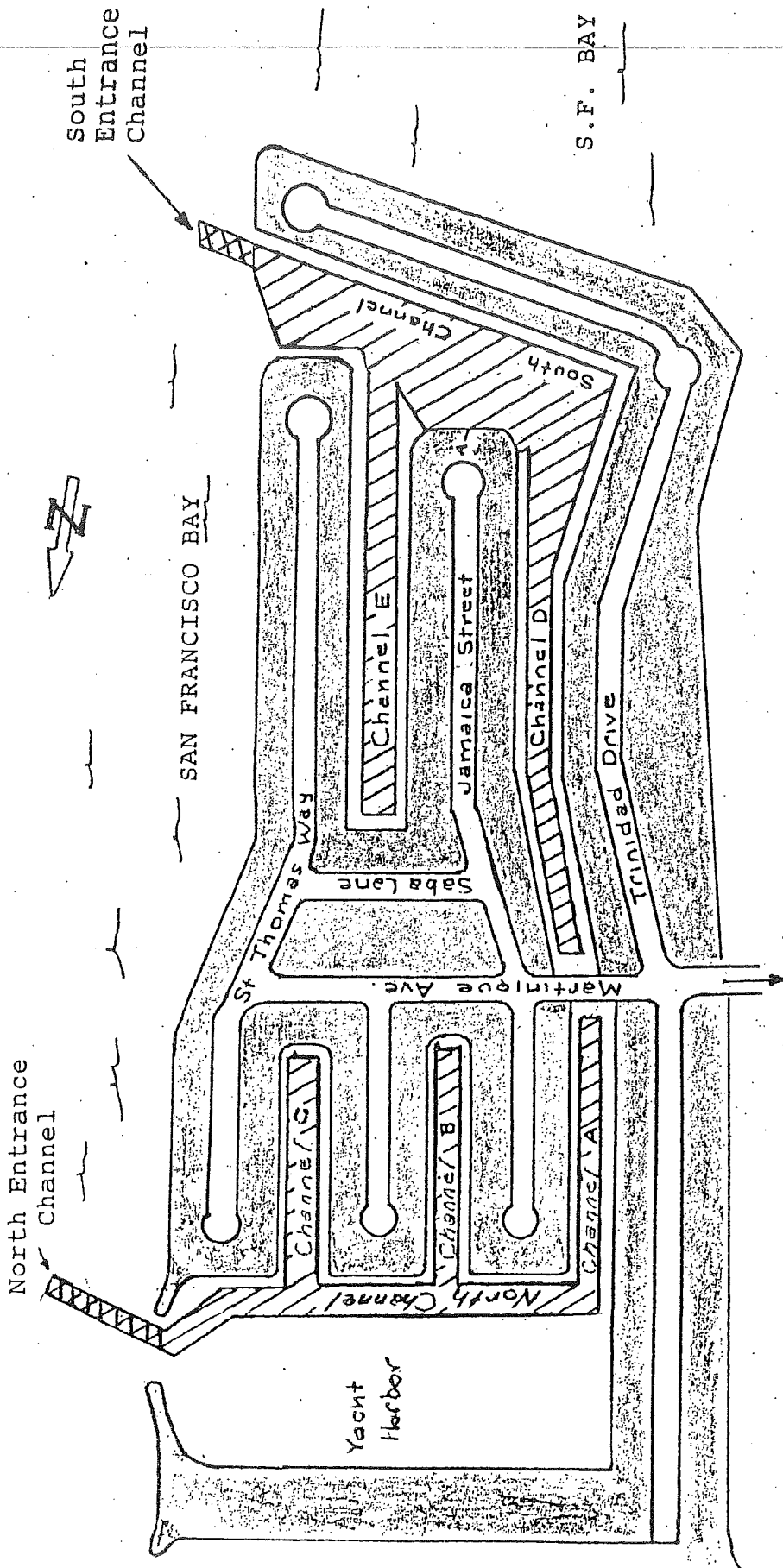


PURPOSE: MAINTENANCE DREDGING

DATUM: P.T. S.P. QUANTITY

ADJACENT PROPERTY OWNERS:

①



Channels maintained by  
 County Service Area #29  
 (CSA#29 (Marin County  
 and Paradise Cay Homeowners )

To Tiburon -7' MLLW =

Scale 1" = 400' -8' MLLW =

PARADISE CAY

PURPOSE: MAINTENANCE  
 DREDGING

DATUM: MLLW

PLAN VIEW

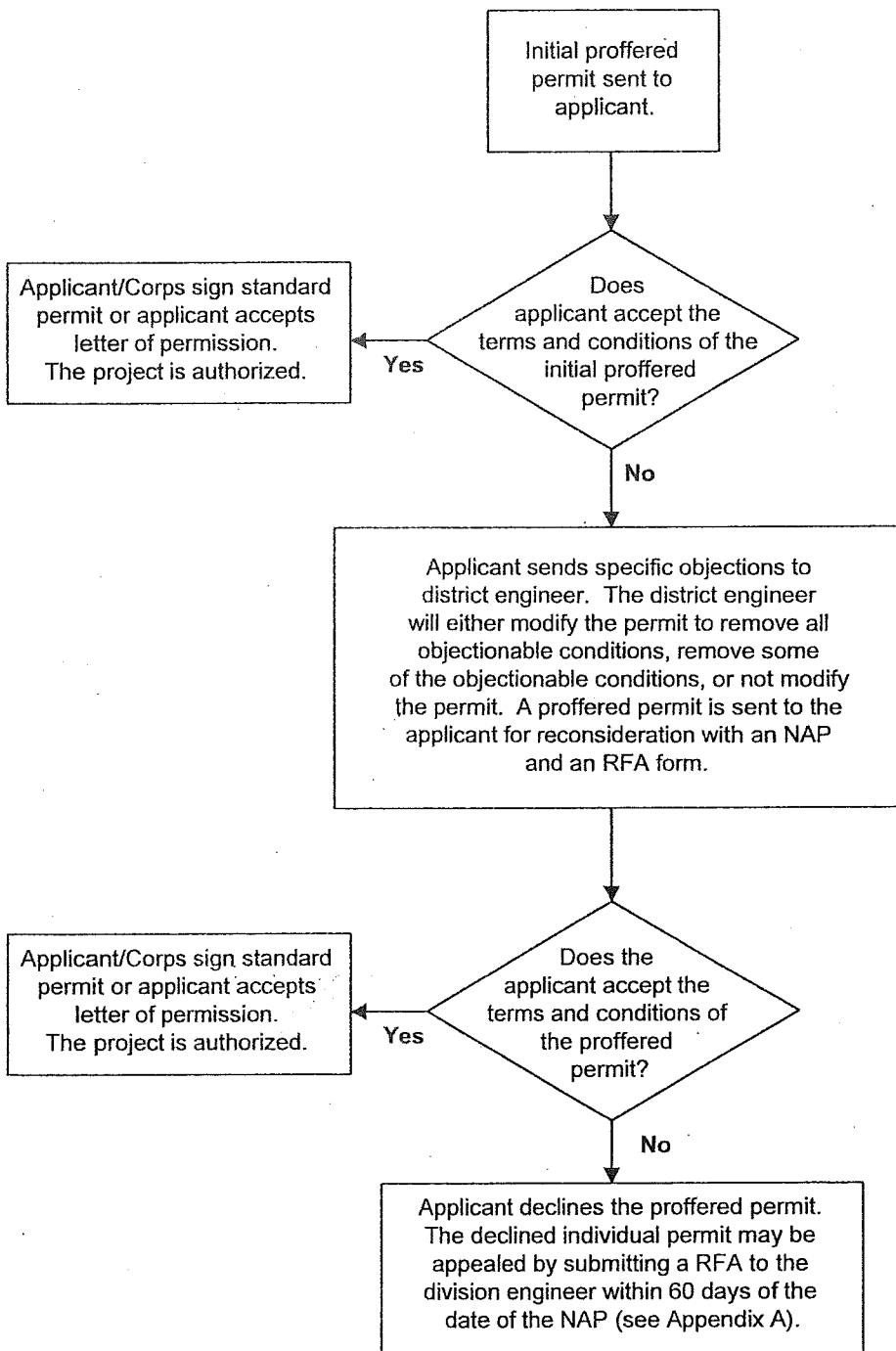
Paradise Cay  
 Tiburon, California

Maintenance Dredging  
 IN: San Francisco Bay  
 AT: Paradise Cay  
 COUNTY: Marin STATE: CA





## Applicant Options with Initial Proffered Permit





**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND  
REQUEST FOR APPEAL**

Applicant: Marin Service Area #29		File Number: 29020N	Date: 3-31-06
Attached is:			See Section below
XX	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	FINAL PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps Regulations at 33 CFR Part 331.**

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the initial proffered permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this Notice and return the Notice to the DISTRICT Engineer. Your objections must be received by the DISTRICT Engineer within 60 days of the date of this Notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your Notice, the DISTRICT Engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the DISTRICT Engineer will send you a final proffered permit for your reconsideration, as indicated in Section B below.

**B: FINAL PROFFERED PERMIT:** You may accept or decline/appeal the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the final proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this Notice and sending the form to the DIVISION (not District) Engineer (address on reverse). This Notice must be received by the DIVISION (not District) Engineer within 60 days of the date of this Notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this Notice and sending the Notice to the DIVISION (not District) Engineer (address on reverse). This Notice must be received by the DIVISION (not District) Engineer within 60 days of the date of this Notice.

**D: APPROVED JURISDICTIONAL DETERMINATION (JD):** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this Notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this Notice and sending the Notice to the DIVISION (not District) Engineer (address on reverse). This Notice must be received by the DIVISION Engineer within 60 days of the date of this Notice. JD appeals based on NEW information must be submitted to the DISTRICT Engineer within 60 days of the date of this Notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION (JD):** You do not need to respond to the Corps regarding the preliminary JD. The preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps District for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT, FINAL PROFFERED PERMIT, PERMIT DENIAL, or JURISDICTIONAL DETERMINATION**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this Notice to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record; the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the Review Officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact the DISTRICT ENGINEER:  
U.S. Army Corps of Engineers, San Francisco District  
333 Market Street, San Francisco, CA 94105-2197

Attn: Jane M. Hicks, Chief, Regulatory Branch  
Tel.: (415) 977-8439 Fax: (415) 977-8343

If you only have questions regarding the appeal process you may also contact the DIVISION ENGINEER:  
U.S. Army Corps of Engineers, South Pacific Division  
333 Market Street, San Francisco, CA 94105-2195

Attn: Douglas R. Pomeroy, Admin. Appeal Review Officer  
Tel.: (415) 977-8035 Fax: (415) 977-8047

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of Appellant or Agent	Date:	Telephone Number:
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## PROJECT STATUS

Please use the forms below to report the dates when you start and finish the work authorized by the enclosed permit. Also if you suspend work for an extended period of time, use the forms below to report the dates you suspended and resumed work. The second copy is provided for your records. If you find that you cannot complete the work within the time granted by the permit, please apply for a time extension at least one month before your permit expires. If you materially change the plan or scope of the work, it will be necessary for you to submit new drawings and a request for a modification of your permit.

(cut as needed) -----

Date: \_\_\_\_\_

**NOTICE OF COMPLETION OF WORK** under Department of the Army Permit No. 29020N

TO: District Engineer, US Army Corps of Engineers, Regulatory Branch, 333 Market Street, 8th Floor, San Francisco, CA 94105-2197

In compliance with the conditions of Permit No. 29020N, this is to notify you that work was completed on \_\_\_\_\_.

Permittee: Marin County Service Area #29, John Wooley

Address: P.O. Box 4186

San Rafael, CA 94913-

(cut as needed) -----

Date: \_\_\_\_\_

**NOTICE OF RESUMPTION OF WORK** under Department of the Army Permit No. 29020N

TO: District Engineer, US Army Corps of Engineers, Regulatory Branch, 333 Market Street, 8th Floor, San Francisco, CA 94105-2197

In compliance with the conditions of Permit No. 29020N, this is to notify you that work was resumed on \_\_\_\_\_.

Permittee: Marin County Service Area #29, John Wooley

Address: P.O. Box 4186

San Rafael, CA 94913-

(cut as needed) -----

Date: \_\_\_\_\_

**NOTICE OF SUSPENSION OF WORK** under Department of the Army Permit No. 29020N

TO: District Engineer, US Army Corps of Engineers, Regulatory Branch, 333 Market Street, 8th Floor, San Francisco, CA 94105-2197

In compliance with the conditions of Permit No. 29020N, this is to notify you that work was suspended on \_\_\_\_\_.

Permittee: Marin County Service Area #29, John Wooley

Address: P.O. Box 4186

San Rafael, CA 94913-

(cut as needed) -----

Date: \_\_\_\_\_

**NOTICE OF COMMENCEMENT OF WORK** under Department of the Army Permit No. 29020N

TO: District Engineer, US Army Corps of Engineers, Regulatory Branch, 333 Market Street, 8th Floor, San Francisco, CA 94105-2197

In compliance with the conditions of Permit No. 29020N, this is to notify you that work commenced on \_\_\_\_\_.

Permittee: Marin County Service Area #29, John Wooley

Address: P.O. Box 4186

San Rafael, CA 94913-

