



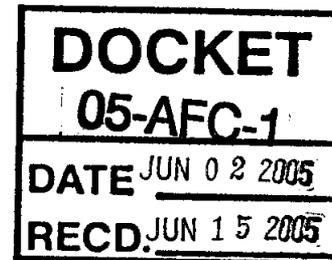
REPLY TO
ATTENTION OF

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

June 2, 2005

Regulatory Branch (200500515)

Andrew Whittome
Calpine
4160 Dublin Boulevard, Suite 150
Pleasanton, California 94568



Dear Mr. Whittome:

We are responding to your written request for comment on the Pastoria Energy Facility Expansion. The project is located near Pastoria Creek in Township 10 North, Range 18 West, in Kern County, California.

We have reviewed your application for certification for the Pastoria Energy Facility Expansion Project, dated April 28, 2005. The application states that the project may cross Pastoria Creek with a discharge line. Please be aware that in accordance with Section 404 of the Clean Water Act, a Department of the Army permit will be required prior to commencing any discharge (including mechanized land clearing) of dredged or fill material in waters of the United States. Waters of the U.S. include, but are not limited to territorial seas; perennial, intermittent, and ephemeral streams; lakes, ponds, and impoundments. Based on site proximity to Pastoria Creek, the property may support wetlands.

Currently, our heavy workload and small staff make it difficult for us to perform wetland delineations, so we are asking project proponents to retain a wetland consultant to delineate any jurisdictional wetlands on their properties. After the consultant has performed the field work, we will verify its accuracy. Visit our website, www.spk.usace.army.mil/regulatory.html, for a list of consultants who have indicated they are able to perform this service, or for more information about the permit program.

Please refer to identification number 200500515 in any correspondence concerning this project. If you have any questions, please contact Anna Sutton at our San Joaquin Valley Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, email Anna.M.Sutton@usace.army.mil, or telephone 916-557-7759.

Sincerely,

ORIGINAL SIGNED

Anna Sutton
Project Manager

Copy furnished w/o enclosures:

James W. Reede, Jr., 1516 Ninth Street, Sacramento, California 95814
URS Corporation, 130 Robinhill Road, Suite 100, Goleta, California 93117