



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

REPLY TO
ATTENTION OF:

September 28, 2006

Office of the Chief
Regulatory Branch

DOCKET 06-AFC-4	
DATE	SEP 28 2006
RECD.	OCT -3 2006

Mr. James Reede
California Energy Commission
1516 9th Street
Sacramento, California 95814-5504

Re: Vernon Power Plant Project (06-AFC-4)

Dear Mr. Reede:

Thank you for the opportunity to comment on the project referenced above. Based on our preliminary review of the information submitted, we have determined that the proposed project may require a U.S. Army Corps of Engineers permit.

A Corps of Engineers permit is required for the discharge of dredged or fill material into, including any redeposit of dredged material within, "waters of the United States" and adjacent wetlands pursuant to Section 404 of the Clean Water Act of 1972. Specifically, construction of the electrical transmission system associated with the project may entail discharge of fill into Los Angeles River, a water of the United States.

If you or the project proponents have any questions, please contact Ms. Phuong H. Trinh of my staff at (213) 452-3372. Please refer to this letter and 200601792-PHT in your reply.

Sincerely,

Aaron O. Allen, Ph.D. *for*
Chief, North Coast Section
Regulatory Branch

PROOF OF SERVICE (REVISED _____) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 10-3-06
ARA

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION
FOR THE CITY OF VERNON
POWER PLANT PROJECT

Docket No. 06-AFC-04

PROOF OF SERVICE

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 04-AFC-01
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

Donal O'Callaghan
Director of Light and Power
City of Vernon
4305 Santa Fe Avenue
Vernon, CA 90058
docallaghan@ci.vernon.ca.us

Krisna Nand
Environmental Project Manager
City of Vernon
4305 Santa Fe Avenue
Vernon, CA 90058
knand@ci.vernon.ca.us

COUNSEL FOR APPLICANT

Eric Freisch
City Attorney
City of Vernon
4305 Santa Fe Avenue
Vernon, CA 90058
kenomoto@ci.vernon.ca.us

INTERESTED AGENCIES

Electricity Oversight Board
770 L Street, Suite 1250
Sacramento, CA 95814
esaltmarsh@eob.ca.gov

John Yee and Chandrashekhar Bhatt
South Coast Air Quality Mgmt. District
21865 E. Copley Drive
Diamond Bar, CA 91765-4182
iyee@aqmd.gov
cbhatt@aqmd.gov

INTERVENORS

ENERGY COMMISSION

JACKALYNE PFANNENSTIEL, Chair
Presiding Committee Member
jpfannen@energy.state.ca.us
cgraber@energy.state.ca.us

JAMES D. BOYD, Commissioner
Associate Committee Member
jboyd@energy.state.ca.us

Susan Geffer
Hearing Officer
sgeffer@energy.state.ca.us

James W. Reede, Jr., Ed.D
Siting Project Manager
jreede@energy.state.ca.us

Kenneth Celli
Staff Attorney
kcelli@energy.state.ca.us

Margret J. Kim
Public Adviser
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, Angela Hockaday, declare that on October 3, 2006, I deposited copies of the attached Comment Letter from Aaron Allen/Dept. of the Army to James Reede/CEC dated September 28, 2006, in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.


[signature]