



DEPARTMENT OF THE ARMY

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

FEB 02 2006

Regulatory Branch

SUBJECT: File Number 29937N

Mr. Harold Appleton
Prunske Chatham, Incorporated
P.O. Box 828
Occidental, California 95465

Dear Mr. Appleton:

This letter is written in response to your submittal of November 18, 2005, requesting confirmation of the extent of Corps of Engineers jurisdiction on property known as, "Parcel 2," located at Suscol Ferry Road, south of the City of Napa, Napa County, California (APN 057-170-018).

Enclosed is a map dated January 25, 2006, titled, "Overall Site Plan, Suscol Creek Winery, Suscol Ferry Road, Napa, California, APN 057-170-018," showing the extent and location of Corps of Engineers jurisdiction based on a site visit performed by our staff on December 8, 2005. We have based this jurisdictional delineation on the current conditions on the site. A change in those conditions may also change the extent of our jurisdiction. This jurisdictional delineation will expire in five years from the date of this letter. However, if there has been a change in circumstances that affects the extent of Corps jurisdiction, a revision may be completed before that date.

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 tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

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 David Wickens of our Regulatory Branch at 415-977-8463. Please address all correspondence to the Regulatory Branch and refer to the File Number at the head of this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Philip Shannin".

Philip A. Shannin
Acting Chief, North Section
Regulatory Branch

Enclosures

Copy Furnished (w/drawings only):

Fennell Development, Napa, CA (Attn: Michael Fennell)
CA RWQCB, Oakland, CA



