



**Item #08-5-7
Information**

Land Use & Housing Committee

April 28, 2008

Briefing on Cap-to-Cap meeting with Secretary Woodley, U.S. Army Corps of Engineers

Issue: A meeting with Secretary Woodley, U.S. Army Corps of Engineers was held during the Cap-to-Cap event.

Recommendation: None, this is for information only.

Discussion: Attached please find a memo from Stacey McKinley regarding an important meeting with the head of the U.S. Army Corps of Engineers. Ms. McKinley, in a consulting capacity, is a member of the core team managing the Rural Urban Connections Strategy for SACOG.

Approved by:

Mike McKeever
Executive Director

MM:rt

Attachment

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TO: SACOG Land Use Committee
FROM: Stacey McKinley, The McKinley Group
DATE: 4.28.08
RE: Meeting with ASA John Paul Woodley, U.S. Army Corps of Engineers

The purpose of this memo is to provide SACOG with a brief summary of a meeting with Assistant Secretary of the Army, John Paul Woodley, head of the U.S. Army Corps of Engineers that occurred on April 8, 2008, as part of the annual Cap to Cap trip. Statements made by Secretary Woodley at the end of the meeting have important implications for SACOG's Rural Urban Connections Strategy, and implementation of the Blueprint and MTP. But first, some background.

For more than 7 years the regulatory arm of the Sacramento District U.S. Army Corps of Engineers has been a subject of concern for both the public and private sectors. As infrastructure, commerce and housing development expanded with demand, the Corps of Engineers has struggled to keep pace. Data that I gathered during my time as District Director for Congressman Dan Lungren indicated that the Sacramento District was often not delivering permits in a timely manner; there were also concerns about whether decisions were being rendered on a level playing field, based on established rules of engagement. As a result, Congressman Lungren, building on work begun by Congressman Ose, led a bi-partisan Congressional oversight process (13 members have participated, including Congressmen Thompson, Matsui, Herger, Doolittle and Tauscher from within the region) that has included three major meetings in Washington, D.C. over the last three years and numerous other meetings, both in D.C. and in the Sacramento region. SACOG was and remains an active and integral part of this process, twice polling its member agencies to identify any permitting challenges associated with public works (see attached results of most recent survey), and sending both a Board Representative (Rancho Cordova Mayor Linda Budge) and Executive Director Mike McKeever to participate in the three oversight meetings (see attached statements from Director Budge and Mr. McKeever). Current Board Chair Tom Cosgrove also attended the most recent meeting.

Congressman Lungren's goal has been permanent, systemic reform, designed to improve the permitting process for individual projects in the near-term but also to move the Corps towards the type of regional-scale solutions represented by the Blueprint over the mid and long-terms. It has been interesting to observe throughout this process the degree of support and enthusiasm expressed by Corps staff at all levels for the Blueprint. They have repeatedly stated that its more compact growth pattern represents an opportunity for superior protection of natural resources while still allowing the type and amount of economic growth the region has chosen for itself. Secretary Woodley two years ago issued a good faith challenge to the region (paraphrasing): "show me that you are serious about implementing the Blueprint, including preserving the "green" areas on your map, and we will work with you to successfully implement your vision."

At the end of the most recent meeting with Secretary Woodley Mr. McKeever had an opportunity to brief Secretary Woodley on your success implementing the urban components of the Blueprint and the Rural Urban Connections Strategy you have launched to address the rural areas. Secretary Woodley followed by making a very significant commitment to work with SACOG to align Corps permitting processes with the Blueprint, to establish unique protocols and procedures, and to assure that the Sacramento District understood implementation on his watch was a priority and that they would have the top-cover needed to support all efforts moving ahead. Those present to

hear the Secretary's direction included the national chief of regulatory programs, Mark Sudol, and the Sacramento District head of permitting, Mike Jewell. It is important that we take full advantage of this opportunity by working closely with these key Corps leaders through the end of this year to define and document the details of Secretary Woodley's direction.

Congressman Lungren will convene the next meeting of this regulatory working group in mid-July in the Sacramento Region, and will continue on a quarterly schedule of meetings within the region. Prior to the July meeting, it is my recommendation that focus be devoted to crafting the regulatory reform pieces related predominantly to the Corps of Engineers and EPA (because of their concurring role in the implementation of the Clean Water Act) and to brief Secretary Woodley, Dr. Mark Sudol, Chief of Regulatory, HQ, Col Chapman, District Engineer, Sacramento Division and Mike Jewell, Regulatory Chief, Sacramento Division prior to that July meeting. We will also want to continue to involve the other Congressional offices actively in this process.

US ARMY CORPS OF ENGINEERS PROJECTS

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
SACOG							
Placer Parkway Corridor Preservation & Tier 1 EIS/EIR	South Placer Regional Transportation Authority (SPRTA) via PCTPA -- local sponsor & CEQA Lead Agency. FHWA -- NEPA Lead Agency.	N/A	Tom Cavanaugh 916-557-5261	N/A	TBD	TBD	<p><u>LEDPA and Timing.</u> The Placer Parkway is to be an approximate 15-mile, high-speed transportation facility, which will connect State Route (SR) 65 -- near Rocklin/Roseville to SR 70/99 in south Sutter County -- between Riego and Sankey Roads. It is a high-priority project in the Placer County Regional Transportation Plan and SACOG's Metropolitan Transportation Plan. See www.pctpa.org.</p> <p>Although the Corridor Preservation project does not involve construction and does not require permits, an informal MOU was agreed to by FHWA, PCTPA, USACOE, and USEPA. The MOU outlines agreement to identify environmental issues that could affect future construction permit approvals. The process seeks to reach concurrence on the corridor that will contain the LEDPA.</p> <p>Since August 2003, there have been 18 meetings. There is concurrence on Purpose & Need, Criteria for Selecting the Range of Alternatives, and the Range of Alternatives. After a slow start, progress improved in 2005.</p> <p>Western Placer County, including Roseville and Lincoln, is one of the fastest growing areas in the Sacramento region. A number of proposed urban proposals in this vicinity are also being considered. Opportunities for building a new connector may be lost unless action is taken to preserve right-of-way for Parkway construction.</p> <p><i>The Draft Tier 1 EIS/EIR was circulated in mid-2007, and work has begun to reach concurrence on the LEDPA and a Mitigation Strategy Framework. If the USACOE can expedite this work, and agree (along with USEPA) on a corridor most likely to contain the LEDPA, it will accelerate Final Tier 1 EIS/EIR completion. If it fails to do this, over 4 years of working with the USACOE and USEPA will have be for naught, and 5 plus years of the Tier 1 process to identify a single corridor for purposes of acquisition/preservation, could only proceed at risk.</i></p> <p>A project-level environmental (Tier 2) review will determine the specific footprint for the roadway within the corridor.</p>
EL DORADO CO							
Latrobe Road Widening	El Dorado County DOT	200100236	Nancy Haley	15-Dec-05	0.425	0.23	Nationwide permit - 3 Expirations - last renewal took one day - Corps contact Nancy Haley, was extremely helpful.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
Project #1: Headington Road Extension-public, County CIP Project. Project #2. Placerville Market Square, El Dorado Crossing- private commercial development proposal being reviewed by EDC Planning Department.	LPG Placerville I, LLC (El Dorado County)	200400380	Kathy Norton	07-Nov-05	3.93	0.452	Issue – The Corps has met with DOT for pre-application meeting and understands the complexities of the Headington Road Extension. This is a public improvement project that bisects a private development project that is proceeding on a separate planning and delivery track. The Corps denied DOT's request for separate permitting so it could proceed independently. This has resulted in major difficulties given the discretionary aspect of a commercial proposal that may or may not move forward. This much needed road connection is now dependent upon the schedule of a large and complex development proposal. For example, the developer's suggested wetland detention as mitigation was rejected by the Corps. DOT cannot proceed until the Corps approves the developer's proposed mitigation measures. Also, DOT feels the mitigation requiring an animal crossing within the commercial development is excessive, and there are other potential solutions. Repeated requests for further discussion regarding alternative solutions to all issues above have not been acknowledged since January 2008.

**CITY OF WEST
SACRAMENTO**

Newport Grove Vesting Tent. Subv. Map	Discovery Buildings	200400874	Michael Finan	01-Jun-05	7.4	0.05	Developer submitted a request for a wetlands determination for a drainage ditch located on the site in June 2005. Developer received confirmation on 11/27/06 that the ditch is a jurisdictional wetland. Developer had since applied for applicable permits to fill the ditch and has yet to receive a response from the Corps.
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**CITY OF
SACRAMENTO**

In Entitlement Process Now

Natomas Landing (P99-091)	Ose Family			22-Jul-99	69.5		Request to allow a 400,000 sq ft shopping center
Natomas Crossing Retail (P04-264)	Alleghany Properties, Inc			29-Dec-04	82.4		Request to allow a 483,000 sq ft shopping center
Point West Plaza (P05- 027)	Tsakopoulos Investments			2-Mar-05	45		Request to allow a regional commercial & office development 438,618 sq ft.
Terrace Park II (P05- 135)	DR Horton			22-Aug-05	10.8		Request to allow a residential subdivision of 66 single family lots
Commerce Station (P06-018)	Law Offices of Gregory D. Thatch			1-Feb-06	180.5		Request to allow a master planned development containing 2,322,160± square feet of office, 250,688± square feet of retail, 101,100± square feet of support retail, 588,920± square feet of mixed use/hospitality, and residential use.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
Azusa Street Tentative Map (P06-074)	Tim Wong			28-Apr-06	0.9		Request to subdivide two parcels into 7 lots for single family development
Harding Estate Subdivision (P06-086)	Hassan Pejuhesh			1-Jun-06	0.9		Request to subdivide one parcel into 5 lots for single family development
Natomas Central Hathaway (P06-111)	Jung Architecture, K Hovnanian Homes			6-Jul-06	14.4		Request to develop 152 single family lots.
Brias del Lago (P06-139)	Mogavero Notestine			8-Aug-06	6.1		Request to create 126 single family lots and build 116 single family dwelling units.
Natomas Market Rate Condominiums (P06-172)	Pardee Homes			14-Sep-06	8.2		Request to construct 120 condominium units
Gateway Shopping Center Expansion (P06-213)	Robert F. Harp			1-Dec-06	2.95		Request to expand an existing shopping center by adding 23,000 sq ft for retail purposes
T-Mobile Monopole (P07-028)	T-Mobile			13-Feb-07	1.95		Request to construct a new wireless facility w/ 3 antennas
Town Center Phase II (P07-078)	Lewis Planned Communities			6-Jun-07	11		Request to designate the site for residential and commercial uses.
Gateway West Office Tower (P07-121)	Bannon Investors Inc			21-Aug-07	14.5		Request to construct a 327,316 sq foot 12-story office building.
Divine Mercy Catholic Church (P07-122)	Duane Johnson, Comstock Johnson Architects			22-Aug-07	8.3		Request to construct an 11,390 square foot church and a future K-8 school.
Parkbridge Village 2, 3, & 4 (P07-132)	John Griffin			18-Sep-07	81		Request to amend the development guidelines for the Parkebridge PUD and to revise previously approved house plans for 347 units.
Natomas Field Impression Cottages (P07-139)	Roger Stanton			3-Oct-07	10		Request to amend the development guidelines to allow for revised garage plans affecting approximately 179 single family residential units.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
Crown Corporate Center Signage Amendment (P07-159)	BTV Management			28-Nov-07			Request to amend signage criteria for the Gateway Oaks PUD.
Arena Seniors (P08-013)	Ionic Enterprises			29-Jan-08	8.5		Request to construct a 240-unit affordable senior housing complex.
Merryhill School (P08-030)	Panatonni Development Co. LLC			25-Feb-08	1.56		Request to construct a 10,500 square foot pre-school.
Cheers Bar and Grill (P08-021)	Scott Stevens			6-Feb-08	4		Request to convert an existing restaurant into a bar.
Natomas Halal Market (P08-026)	TJS Engineering			13-Feb-08	0.34		Request to construct a 13,230 sq ft mixed use building including ground floor retail and 4 apartment units.
Terraces at Westshore (P08-033)	K. Hovnanian			14-Mar-08	15.8		Request to modify previously approved house plans for 157 lots

Entitled Ready for Building Permit Applicant

Law Offices of Gregory D. Thatch				2-Sep-04	397.9		Residential 1,693SF and 840 MF, partially constructed
Winncrest Natomas II				21-Jun-04	25.3		Residential 194 units total and remaining
KB Homes				23-Dec-03	180.3		Residential 1,268 SF units, partially constructed
Jon Bagatelos				12-Apr-06	1.07		Office, 14,283 sq ft approved (2 bldgs), one building under construction
Dr Horton Inc, Sacramento				27-May-05	10.9		Residential, 188 condo units
Borges Architectural Group, Inc				3-Aug-04	7.73		Office 50,325 sq ft remaining
Burrell Consulting Group, Inc				17-May-06	12.29		Office, 306,000 sq ft approved (3 bldgs) and remaining
Tony Meyers				18-Nov-04	98.9		Residential, 703 SF units partially constructed
Donahue-Schriber Realty Group Co.				26-Jan-04	10.1		Retail, 119,000 sq ft total and remaining

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
TLA Engineering & Planning, Inc.				2-Mar-07	9.62		Residential, 229 condominium units approved and remaining
Donahue-Schriber Realty Group Co.				22-Jan-04	2.8		Retail, 34,000 sq ft approved and remaining
Donahue-Schriber Realty Group Co.				14-Dec-01	1.5		Commercial, 13,000 approved and remaining
RMW Architecture & Interiors				20-Jun-03	12.47		Commercial, 190,694 sq ft approved, 137,027 remaining
Shea Homes				5-Oct-04	20.9		Residential, 321 condominium units, partially constructed
Stephen McMurchie				12-Jul-99	25.84		Office, 255,000 sq ft approved and remaining
Opus West Corporation				10-Feb-05			Office, Three buildings 480,000 sq ft approved and remaining
Pardee Homes				5-Aug-05	144.6		Residential, 638 SFR, 2 MF lots remaining
Tharaldson Development Company CA Office				10-May-07	2.68		Hotel, 115 rooms, 72,762 sq ft
Herbert T. Krumpe Architect, Inc.				9-Nov-06	4		Residential, 75 apartment units
Buxx Oates Construction				20-Jul-07	1.1		Commercial/Office 15,682 sq ft
John Laing Homes				10-Oct-05	5.7		Residential, 92 condominium units
Monighan Architect				3-Sep-04	2.77		Office, 20,123 sq ft
Mark Platt				15-Nov-07	1.16		Restaurant, 6,500 sq ft.
William Lyon Homes, Inc				31-Oct-05	7.7		Residential, 123 Cluster SF units
LPA Sacramento				2-Jan-07	21.9		Warehouse / Office expansion 108,475 sq ft
Cemo Commercial / Pacific-Teal Development, LLC				4-Nov-03	12.92		Office / Retail / Day Care, mostly constructed except one office bldg
Donahue-Schriber Realty Group Co.				22-Jan-04	8.47		Commercial, 33,990 sq ft remaining

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
Capital City Restaurants, Inc.				30-Jan-07	0.8		Restaurant, 4,906 sq ft
Burrell Consulting Group, Inc				23-Feb-06	1.87		Restaurant, 11,815 sq ft
Jon Delling				27-Jul-06	2.4		Office/Medical Building: 48,000 sq ft approved and remaining
Donahue-Schriber Realty Group Co.				22-Jan-04	7.31		Commercial 17,545 sq ft remaining
Law Offices of Gregory Thatch				27-May-04	20.4		Commercial, Auto Dealership (88,545 sq ft) 52,000 sq ft retail, 4,000 sq ft restaurant
Oliver Ortiz				20-Dec-05	1.45		Commercial 6,000 sq ft market and car wash
KB International				18-Oct-01	80.33		Residential, 640 SF units approved and remaining
LPA Sacramento, Inc				14-Feb-02	25.7		Office, Two buildings with 106,334 sq ft remaining
LPA Sacramento, Inc				30-Apr-03	10.9		Office, Two buildings 176,356 sq ft
Griffin Industries				22-Oct-04	113.3		Residential, 389 SF units, 142 MF units approved and remaining
Gary Potter, AIA				5-Apr-06	11		Office, 175,356 sq ft approved, only half of the buildings will be built initially
Sixells, LLC				8-Jul-05	1.33		Residential, 110 condominium units approved and remaining
Americor, Inc				9-Jan-08	2.06		Hotel

CITY OF WOODLAND

Cache Creek Feasibility Study	DWR, Yolo County, City of Woodland		Jim Baker				Management of floods from Cache Creek impacting Yolo County and City of Woodland. Cache Creek is part of the Sacramento and American River system because of the Yolo Bypass
Cache Creek Settling Basin (CCSB) (1993)	DWR, Rec Board, SACFA						Management of sediment from Cache Creek impacting the Yolo Bypass. Cache Creek is part of the Sacramento and American River system because of the Yolo Bypass
Joint EIR/EIS for the American River Watershed	Army Corps/SAFCA						Re-examination of common facilities of the System (see above)
Cache Creek Outfall (City of Woodland - WRDA 2007(8?))	City of Woodland, Yolo County,						indirectly DWR, & SACFA Rec Board as mitigation for impacts associated with the installation of the CCSB

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
FEMA DFIRM Modernization							Levee Certification of CCSB levees for safety, without certification, breach of CCSB will impact Yolo County and City of Woodland
Delta Mercury Control Program	State Water Resources Control Board						Mandates that DWR increase the trap efficiency of the CCSB to 75% forever to reduce Cache Creek mercury impacts to the delta
CITY OF PLACERVILLE							
Gateway Hotel, Placerville, CA	Edward Mackay, Alpha Group	200200319	Kathy Norton et al	unk	unk	1.52	The issue with this project is the fact that the Corps refused to allow mitigation and improvements to Hangtown Ck (the watershed in which the project is located), or to purchase wetland mitigation bank credits, but instead required the developer to issue a check to the American River Conservancy in the amount of \$350,000. This money was not to create new wetlands, but to allow the Conservancy to purchase an idle dairy farm in the Gold Hill area of El Dorado County. This requirement did not create new wetlands, it did not improve the Hangtown Creek watershed, it did not protect at risk wetlands that are not already protected, it merely forced a developer to give a substantial sum of money to a non profit organization to acquire land that is not at risk to lose any wetland habitat.
CITY OF ROSEVILLE							
							The City has a WRDA Agreement with the Army Corps and an MOU with the USFW that facilitates early consultation with the Corps for large annexation projects. Both City SIP projects and specific plan processing are aided by these two mechanisms as discussed below.
Army Corps WRDA Position	City of Roseville	Various	Nancy Haley	Various	Various	Various	WRDA Agreement Since establishing the WRDA position in July 2007, the timeliness of 404 permit processing for City CIP projects has greatly improved. WRDA builds staffing capacity at the Corps and increases permit processing efficiency for the local jurisdiction. It also provides for greater consistency since the City works with a single point of contact at the Corps. As a result, wetland permitting is now rarely the critical path schedule item for City CIP projects. WRDA staff has also been a tremendous benefit to the early consultation process (described further below) because it ensures dedicated and consistent staffing at meetings.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
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Issues:

Hiring Process Delays: The extended period of time required to recruit and replace the City's WRDA position after the position was vacated due to a promotion has been an issue. Recruitment delays are apparently the result of an internal Human Resources policy that requires advertising for the position be withheld until the position is listed within the top 10 on the recruitment "wait list." The City requests that this policy be revisited for WRDA position in light of the mutual benefits that accrue from utilization of the WRDA process.

It should be noted that Nancy Haley, the City's former WRDA staff, has done an outstanding job to continue to service the City's WRDA needs as best as possible while also serving in her new capacity/position.

Resource Agency Early Consultation

Specific Plan Resource Agency Early Consultation Meetings for the Sierra Vista and Creekview City of Roseville Annexation Projects	Sierra Vista and Blue Oaks Property Owners Respectively	Sierra Vista Specific Plan: 200601050; Creek View Specific Plan: no assigned Corps control number yet	Nancy Haley	Sierra Vista submitted 1-1-07; Creekview has not submitted yet	Sierra Vista: 2173 acres; Creekview 511 acres	Sierra Vista: 36 acres; Creekview 19 acres	<p>The City holds monthly Resource Agency Early Consultation Meetings for Roseville specific plan annexation projects. The City's Army Corps WRDA staff person attends these meetings. The Early Consultation process enables all parties (federal, state, local and private) to become more familiar with the project and to understand the needs and/or statutory requirements of each party. This allows identification of key land use planning and resource avoidance issues early in the process and provides opportunity to build strong working relationships.</p> <p>A goal of the early consultation process was to ensure consistency between the land use plan approved by the City and permitted by the Corps and as best as possible to run a concurrent CEQA/NEPA process. To accomplish this requires early agreement on avoidance areas. This is the first time the City has attempted to implement "early consultation" and as a result the following issues or "lessons learned" have been identified.</p>
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Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
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Issues:

Difficult to Reach Agreement on Avoidance Areas: A number of issues have been worked out as a result of early consultation dialogue and the City and applicants are pleased with the attention and feedback the Corps has provided through this process. Although the Corps and applicants have participated in good faith, due to federal requirements, the Corps is unable to provide assurance to the landowners that the avoidance areas discussed and identified will be enough to allow issuance of an individual 404 permit. This is because the Corps must avoid being deemed "pre-decisional." As a result, applicants are hesitant to agree to the additional avoidance areas without the issuance of an actual 404 permit. Although all parties have worked in good faith, this "predecisional" restriction impedes the ability of all parties to reach a fair and equitable agreement on avoidance areas and therefore ensure consistency between the land use plans approved by the City and permitted by the Army Corps.

Land use

Difficult to Identify the Appropriate NEPA Document to Allow for Concurrent CEQA/NEPA Processing: As a result of early consultation discussions, the applicants for one specific plan revised their land use plan to include greater avoidance based in part on Corps feedback and the understanding that doing so would allow the project to achieve NEPA compliance with an EA (rather than EIS). However the Corps has indicated that the NEPA EA can not be issued until the CEQA Draft EIR is available. Because of this, NEPA comments won't be known for some time leaving the possibility that: 1) additional avoidance may be necessary to adequately respond to NEPA comments potentially resulting in land use plan revisions and inconsistency with the land use plan being processed by the City; and 2) an EIS could be required for NEPA compliance with significant schedule consequences. The risk of a resulting protracted schedule and the possible need to revise the City's land use plan and CEQA document is a concern of the City and landowners.

Caltrans SACOG Counties

Requests for 404 permits and other regulatory approvals submitted by Caltrans District 3 since March, 2006* to USACE's Sacramento District for projects in El Dorado, Placer, Sacramento, Sutter, Yolo, and Yuba counties

* Through a Memorandum of Agreement, Caltrans funds a position at USACE-SPK to help expedite review of its permit applications. This position was filled in March 2006. The cost to Caltrans for funding this

Note: Projects are sorted by date permit application or other request for authorization was submitted. Some projects are listed more than once if different regulatory actions were required.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
EL DORADO COUNTY							
El Dorado State Route 89 emergency culvert repair (03-2E370)	Caltrans District 3		Laura Whitney-Tedrick	13-Jul-06	?	0.0 (0.004 acre of temporary fill)	USACE issued an RGP 60 for this project on 8-Sep-06. Project consisted of replacing two collapsed culverts and repairing the adjacent highway embankment.
El Dorado State Route 50 embankment repair at Strawberry (03-2E930) - NWP authorization	Caltrans District 3	SPK-2007-137-SO	Laura Whitney-Tedrick	21-Aug-06	0.043	0.004	Caltrans received NWP 3 authorization for this project on 2-Feb-07, 165 days after submittal of the PCN.
El Dorado State Route 49 Logtown road widening/curve realignment project (03-4C090)	Caltrans District 3	200700312_C T	Laura Whitney-Tedrick/Paul Maniccia	21-Nov-06	---	---	Delineation report and JD request submitted November 2006 to Laura Whitney-Tedrick. In summer 2007, project was transferred to Paul Maniccia, who conducted a site visit in September 2007; project was subsequently transferred back to Ms. Whitney-Tedrick. <i>As of 26-Mar-08, the JD has still not been issued.</i>
El Dorado State Route 50 embankment repair at Strawberry (03-2E930) - permit reauthorization	Caltrans District 3	SPK-2007-137-SO	Laura Whitney-Tedrick	16-Mar-07	0.043	0.004	This NWP 23 reauthorization took 76 days to issue.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
PLACER COUNTY							
Placer State Route 49 operational improvements (03-0A410)	Caltrans District 3	199900289	Laura Whitney-Tedrick	14-Apr-06	?	0.048	This NWP 23 permit modification took 60 days to issue.
Placer State Route 28 environmental improvement program - Tahoe City to Kings Beach (03-2A940)	Caltrans District 3	200600681	Laura Whitney-Tedrick	17-May-06 (wetland delineation); 22-Sep-06 (PCN)	107.45	0.093	The NWP was authorized 27-Apr-07, 345 days after submittal of the wetland delineation report and 217 days after submittal of the PCN; USACE never issued a JD.
Placer State Route 89 environmental improvement program - Tahoe City to Squaw Valley (03-2A921)	Caltrans District 3	200600757	Laura Whitney-Tedrick	9-Aug-06 (wetland delineation); 30-Nov-06 (PCN); 16-Feb-07 (MMP)	85.53	0.019	The NWP was authorized 16-Mar-07, 219 days after submittal of the wetland delineation report and 106 days after submittal of the PCN; USACE never issued a JD. The MMP was approved on 14-Aug-07, 179 days after its submittal.
Placer State Route 65 Lincoln bypass (03-33380) - JD request for highway project corridor	Caltrans District 3	199500363	Laura Whitney-Tedrick	26-Sep-06	Approx. 860	30.14	CT had previously submitted at wetland delineation but provided an update in September 2006; the JD was issued 15-Feb-2007, 142 days after submittal of the updated material.
Placer Interstate 80 truck climbing lane (03-1E240) - NWP authorization request	Caltrans District 3	SPK-2007-93-SO	Paul Maniccia	11-Jan-06	Approx. 3	Approx. 0.15	This NWP 23 authorization was issued 25-Jan-07, 73 days after submittal of the PCN.
Placer State Route 65 Lincoln bypass (03-33380) - JD request for proposed Rockwell Ranch mitigation site	Caltrans District 3	199500363	Laura Whitney-Tedrick	30-Nov-06	514	None-mitigation site	CT requested a JD for this delineation of the Rockwell mitigation site in November 2006; USACE conducted a site visit in December 2006, but CT did not receive the JD until 12-Oct-07 (the JD letter was dated 25-Sep-07).
Placer Interstate 80 Colfax sinkhole repair (03-2E770)	Caltrans District 3	SPK-2007-386	Laura Whitney-Tedrick	09-Dec-06	?	0.052	NWP 3 and 33 were authorized on 1-May-07, 143 days after submittal of the PCN.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
Placer Interstate 80 Rainbow rehab (03-0C770)	Caltrans District 3	200500282	Laura Whitney-Tedrick	10-Jan-07	Approx. 53	Approx. 0.2	This NWP 14 reauthorization took 168 days to issue. The work in waters of the United States consists of lining or otherwise rehabilitating 30 deteriorating culverts.
Placer State Route 65 Lincoln bypass (03-33380) - Individual Permit application	Caltrans District 3	199500363	Laura Whitney-Tedrick	6-Mar-07 (addendum to IP application)	Approx. 860	30.14	The original application for an Individual Permit for this project had been filed in March 2005; Caltrans submitted an addendum with final impact calculations in March 2007. The IP was issued 19-Oct-07, 227 days after submittal of the addendum.
Placer Interstate 80 truck climbing lane (03-1E240) - NWP reauthorization request	Caltrans District 3	SPK-2007-93-SO	Laura Whitney-Tedrick	07-Mar-07	Approx. 3	Approx. 0.15	This NWP 23 reauthorization was issued 2-May-07, 56 days after submittal of the request for reauthorization.
Nevada/Placer Interstate 80 Emigrant Gap culvert rehab (03-4A650)	Caltrans District 3	200700873_C T	Laura Whitney-Tedrick	04-Apr-07	1.332	0.397	This NWP 23 was authorized 9-Nov-07, 219 days after submittal of the PCN and 2 days after RTL . The project consists solely of lining 17 deteriorating culverts.
Placer State Route 89 environmental improvement program - Tahoe City to Squaw Valley (03-2A921) - NWP reauthorization request	Caltrans District 3	200600757	Laura Whitney-Tedrick	12-Apr-07	85.53	0.019	This NWP 14 and 33 reauthorization was issued 17-Aug-07, 127 days after submittal of the request for reauthorization.
SACRAMENTO COUNTY							
Sacramento Interstate 80 "over the top" median/auxillary lanes (03-37970)	Caltrans District 3	200700309	Laura Whitney-Tedrick/Paul Maniccia	11-Dec-06 (wetland delineation)	---	---	This JD was issued 18-Sep-07, 281 days after submittal of the wetland delineation report.
Sacramento/Placer Interstate 80 HOV lanes (03-36782)	Caltrans District 3	SPK-2007-01909	Paul Maniccia	10-Sep-07	Approx. 211	0.009	This NWP 23 authorization was issued 6-Nov-07, 57 days after submittal of the PCN.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
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SUTTER COUNTY

Sutter/Yuba State Route 70 expressway project (03-3864U) - approval of mitigation proposal	Caltrans District 3	199400990	Tom Cavanaugh/ Laura Whitney- Tedrick	05-Feb-07	?	13.49	After submittal of the initial mitigation proposal to USACE-SPK on 6-Jul-05 and numerous unfruitful discussions and negotiations with both USACE and California State University at Chico regarding its implementation, Caltrans submitted a new mitigation proposal (not involving Chico State) to USACE in February 2007. USACE approved this new proposal on 15-Aug-07, 191 days after its submittal.
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Sutter/Yuba State Route 70 expressway project (03-3864U) - request for Individual Permit time extension	Caltrans District 3	199400990	Laura Whitney- Tedrick	26-Feb-07	?	13.49	USACE issued a time extension for the Individual Permit for this project 32 days after submittal of the request.
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YOLO COUNTY

No projects to report

YUBA COUNTY

See Sutter/Yuba State Route 70 expressway project above

ISLETON

The City of Isleton has not, at this point in time, had any problems with the Corps. The Corps like most large organizations has a reputation for being slow and unresponsive.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
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DAVIS

Davis hasn't had any significant interaction with the Corps in a long time, so we have no examples to share with the Cap-toCap group. We have interest in how coordination with the Corps can be improved since I expect the City will need to pull a permit from the Corps in the near future for stormdrain outfall improvements at the Yolo Bypass.

ISLETON

The City of Isleton has not, at this point in time, had any problems with the Corps. The Corps like most large organizations has a reputation for being slow and unresponsive.

Project Name	Applicant	Corps No.	Corps Staff	Date Submitted	Gross Acres	Fill Acres	Issue-Link to Blueprint
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RT

Thank you for the opportunity to respond. RT does not have any projects directly impacted by USACE actions/in-actions.

Summary of 404 Permits and Other Regulatory Approvals Issued by USACE's Sacramento District for Caltrans North Region Projects since March 2006 (Including Projects outside the 6-County SACOG Area)

	All types of USACE actions	Pre-Rapanos NWP/RGP 16* authorizations	NWP reauthorizations	LOP average	Standard Individual Permit average	Pre-Rapanos JD issuances (or implicit approval through permit issuance)**	Permit modifications	MMP approvals
Number of requests for USACE action:	74							
Number of completed USACE actions:	67	22	11	1	1	9	3	5
Number of pending USACE actions:	7							
Average response time (days):	171.8	173.0	179.1	82.0	227.0	283.0	47.0	152.6
Minimum response time (days):	25	57	47	---	---	66	32	41
Maximum response time (days):	640	449	468	---	---	640	60	250
Number of missed RTL dates:	7***							

	Post-Rapanos NWP authorizations	Post-Rapanos JD issuances**
Number of completed USACE actions:	3	
Number of pending USACE actions:		
Average response time (days):	162.7	
Minimum response time (days):	141	
Maximum response time (days):	190	

* RGP 16 replaces NWPs for projects in the Tahoe Basin.
 ** Refers to projects for which the delineation report and request for JD issuance were submitted prior to request for permit issuance.
 *** Not including one project for which PCN was submitted 11/1/07 and for which permit has not been authorized as of 3/24/08; RTL was 1/2/08. Two additional projects are at risk of missing RTL.

8 April 2008

Honorable John Paul Woodley, Jr.
Assistant Secretary of the Army for Civil Works
8 April Cap To Cap Follow Up Meeting

RE: Statement from the City of Rancho Cordova and the SACOG (Sacramento Area Council of Governments) Region.

Good afternoon. It's my job to describe for you the balance that the elected officials in the Sacramento region are trying to achieve, and the mandates which so often become obstacles to logical progress.

As you know, the SACOG region took a hard look at our need to accommodate the remarkable growth that is anticipated to occur by the year 2050. We are home to my grandchildren, and to the Congressman's grandchildren, not just to new residents moving to our region from other states or other countries. Selfishly, we want our families to live close by; to not have to locate in another city or state because there's not a home for them at a price that they can afford. And so, over these last few years, we have described for you the ground-breaking land use process which we undertook; called "The Blueprint".

During the process of writing that award winning regional plan, it became quite clear that we could not prosper - either as individual jurisdictions - or as a region, if we continued the typical California pattern of sprawling out beyond the developed urban area to the next available acre until we ran out of land. Our collective agreement will help to reduce the well known effects of urban sprawl that include congested traffic, the lengthening commutes, the inability to meet air quality goals, the diffuse pattern of urban infrastructure, and the resultant impact on the cost of owning a home. It is well documented that urban sprawl also results in an over extension of public infrastructure and a valid inflated monetary cost to providing that infrastructure, as well as the resultant degradation of rural areas, consumption of high quality farmland, elimination of highly prized open space, and impacts to endangered species of plants and animals. We are trying to turn a very large ship and we need your continued help.

Most of us have adopted General Plans, specific plans, and made land use decisions that are consistent with the Blueprint Principles. And yet...

Our ability to plan and approve those 'smart' or sustainable growth neighborhoods remains frustrated by the Federal regulatory challenges that have been described.

There have been so many improvements made over the last few years since we began this collective process to address these issues.

- The Regulatory Improvement Forums and the accompanying training workshops are recognized as being very valuable, and we appreciate the time of the members of the Corps who regularly work to make them successful.
- The Corps staff members who have been assigned by WRDA contracts to the various agencies have been instrumental in achieving progress for the public sector infrastructure projects that are critical to the region, and several cities have expressed high praise and appreciation for the personnel who were previously assigned.

But, as you have heard, the inability of the Sacramento District office of the Corps to backfill vacant positions - such as the WRDA positions - and to bring on the number of staff people needed to actually handle the immediate workload needs to be addressed with more creative solutions.

As I look at the details of the complaints provided to me in preparation for this meeting, several principles are common to each of the situations described:

- Delays in the hiring process are eliminating the benefits of entering a contract with the Corps for a WRDA position.
- The lack of adequate workforce results in a lack of timely response to applications and issues - even when there is a dedicated staff person assigned; and sometimes results in the assignment of staff that is not experienced in handling the volume and complexity of the issues pertinent to the SACOG region.
- Often times, comments are received after the close of the “official” review period.
- These delays in review put public infrastructure and safety projects in conflict with other regulatory limitations, causing projects to miss a construction season and perhaps put funding with time constraints in jeopardy.
- Critical regional transportation projects that are included in the adopted Metropolitan Transportation Plan (MTP) need timely review in order to preserve necessary corridors, but meet with many years of meetings and discussion to process just a Tier 1 level EIS/EIR, resulting in putting the corridor preservation in jeopardy.
- The difficulties in doing concurrent CEQA/NEPA processing, and therefore, having conflicting sets of mitigation measures, result in potential conflicts with the jurisdictions’ adopted and environmentally evaluated land use plan and its adopted environmental documentation. There are multiple potential accompanying legal problems caused by such conflicts.
- Replacing routine mitigation measures with mandates to pay monetary compensation when there is no link or nexus between the resources to be mitigated and the organization or project receiving the money, raises concerns about the validity of the decision and the science behind the mitigation measures.
- When there is an artificial insistence on merging public infrastructure projects with private projects for the sake of keeping them together under one application umbrella, it leads to concerns about the motivation for doing so and results in an inappropriate joining of public and private projects that may actually be contrary to other regulatory mandates.
- Even CalTrans - the California Department of Transportation, Region 3 - provided a list of safety and repair projects where public safety was jeopardized due to the lack of timely review by the Corps District office.

For a brief period, those of us who have had dedicated Corps staff made possible by WRDA contracts, have made significant progress. With the vacation of the WRDA positions, we are all in danger of seeing that progress reversed.

We believe that the loss of those positions and the perennial staffing problems of the Sacramento office are the over-riding issue that is the root cause of many of the complaints that you are hearing about today. Since it must be acknowledged that this is not a new problem, we would welcome your suggestions on ways in which our collective organizations and the Members of Congress present or represented by staff could be effective advocates on this particular issue.

We remain committed to getting beyond this continual problem. We believe that in a region such as

Sacramento, it's time to look at the bigger picture and address more global issues. We would like to start with regional mitigation. Unfortunately, we cannot get to that macro level while the details continue to be in flux.

Mr. Secretary, it's very important that we all take this opportunity to thank you for having been able to get to know and work with you and the staff at the Corps; both in our region - as well as here in Washington. You have provided leadership in seeking solutions and valuable suggestions that the region is working to implement. You will hear more about those in a few minutes. The problems that you have tried to help us with will continue to need to be addressed - regardless of the people or the administration that is involved.

For your assistance over these years, we all want to thank you. We need to take the additional step in formalizing the plans and processes that will result in long term solutions that are in the best interest of both our region and the country as a whole.

Linda A. Budge, AICP
Mayor, City of Rancho Cordova

