



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

REPLY TO
ATTENTION OF

CESPK-RD

6 April 2010

MEMORANDUM FOR THE RECORD

SUBJECT: Acceptance of Funds Contributed by California High-Speed Rail Authority, a Non-Federal Public Entity

1. References:

a. Section 214 of the Water Resources Development Act (WRDA) of 2000 (Public Law 106-541), as amended.

b. Memorandum, CECW, 1 October 2008, subject: Implementation Guidance for Section 2002 of the Water Resources Act of 2007 (Regulatory Program Funds Contributed by Non-Federal Entities).

2. The sunset clause for Section 214 of WRDA 2000 is 31 December 2010. This authority may be extended or be made permanent.

3. The purpose of this memorandum is to document my decision to enter into an agreement to accept and expend funds contributed by the California High-Speed Rail Authority ("Authority"), a non-Federal public entity for a period of four years to expedite evaluation of permit applications under consideration of our Regulatory Division in accordance with Reference 1a. The duration of the agreement may be extended by written, mutual agreement of the parties.

4. Per Reference 1b, an initial public notice was circulated on 29 December 2009. No comments were received.

5. I have carefully considered the Authority's request and the recommendation of the Regulatory Division. I have determined that acceptance and expenditure of funds from the Authority will not adversely impact impartial decision-making with respect to regulatory permit applications, either substantively or procedurally. The funding program will better serve the public interest through more cost-effective processing of permit applications, enhanced evaluation capability, and a streamlined permit processing system. Our capacity to evaluate permit applications from applicants not party to this funding agreement will not be adversely affected. Accordingly, I find that acceptance and expenditure of funds from the Authority is appropriate and is in accordance with the provisions of Section 214 of WRDA 2000.

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6. An informational public notice shall be issued to advise the public of my decision.
7. The point of contact is Leah Fisher, Project Manager of my Regulatory Division, at 916-557-6639.

/s/

THOMAS C. CHAPMAN, P.E.
COL, EN
Commanding