



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 (SPK 2011-00484)

18 October 2012

MEMORANDUM FOR THE RECORD

SUBJECT: Acceptance of Funds Contributed by the Port of Stockton, 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-CO, Oct 1 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 2016.

3. The purpose of this memorandum is to document my decision to enter into an agreement to accept and expend funds contributed by the Port of Stockton, a non-Federal public entity, to expedite evaluation of permit applications and processes under consideration of our Regulatory Division in accordance with Reference 1a.

4. Per Reference 1b, an initial public notice was circulated on 2 October 2012. No comments were received.

5. The Regulatory Division recommends acceptance of funds from the Port of Stockton.

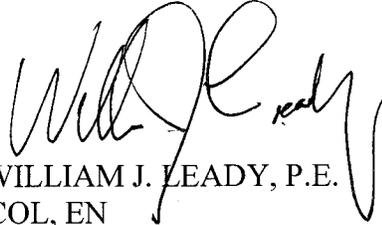
6. I have carefully considered the Port of Stockton's request and the recommendation of the Regulatory Division. I have determined that acceptance and expenditure of funds from the Port of Stockton will not adversely impact impartial decision-making with respect to regulatory permit applications, either 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 Port of Stockton is appropriate and is in accordance with the provisions of Section 214 of WRDA 2000.

7. An informational public notice shall be issued to advise the public of my decision.

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8. The point of contact is Mr. Michael Nepstad, Deputy Division Chief of my Regulatory Division, email Michael.g.nepstad@usace.army.mil, telephone 916-557-7262.

A handwritten signature in black ink, appearing to read 'William J. Leady', with a stylized flourish at the end.

WILLIAM J. LEADY, P.E.
COL, EN
Commanding

3 Encls

1. MOA
2. PL 106-541
3. MEMO, Oct 1, 2008