



**US Army Corps
of Engineers®**

SPECIAL PUBLIC NOTICE

DECISION TO ACCEPT FUNDS FROM
THE SOLANO COUNTY WATER AGENCY

SAN FRANCISCO DISTRICT

Public Notice/Application No.: 2013-00122N

Public Notice Date: August 7, 2013

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SUBJECT: The purpose of this Public Notice is to inform the general public that the District Commander of the San Francisco District, U.S. Army Corps of Engineers (“Corps”) has decided to accept and expend funds contributed by the Solano County Water Agency. The Corps’ San Francisco District Regulatory Division and the Corps’ Sacramento District Regulatory Division, as necessary, will also use these funds, administered by the San Francisco District Regulatory Division, to create, review, and manage streamlined permitting processes for construction and operations and maintenance activities in accordance with the Solano Habitat Conservation Plan (HCP) and under consideration of our Regulatory Division, subject to a series of limitations specified below. With the additional funding, the Federal agencies would pay current employees for hours spent working on these streamlined permitting processes.

BACKGROUND: On August 2, 2013, the San Francisco District Commander determined that acceptance and expenditure of such funds would be in accordance with Section 214 of the *Water Resources Development Act of 2000* (WRDA 2000, Pub. L. No. 106-541, as amended the *Water Resources Development Act-Amendment of 2010*, Pub. L. No. 111-315).

A series of procedural safeguards has been adopted to ensure that use of the funds will not impact impartial decision-making. These include:

a. All final permit decisions for cases where these funds are used must be reviewed at least by one level above the decision maker, unless the decision maker is the District Commander. For example, if the decision maker is the Chief of the Regulatory Division, then the reviewer would be the District Commander.

b. All final permit decisions for cases where these funds are used will be made available on each District’s web page.

- c. The Corps will not eliminate any procedures or decisions that would otherwise be required for that type of project and permit application under consideration.
- d. The Corps will comply with all applicable laws and regulations.
- e. Funds will only be expended to provide priority review of the participating non-federal entity's permit applications.

From April 17, 2013 through May 17, 2013, the San Francisco District circulated a Special Public Notice announcing its preliminary intent to accept and expend such funds. The Notice discussed the kinds of activities for which funds would be expended and solicited comments from the general public. Two comments were received from the City of Fairfield and the Lewis Operating Corporation, both expressing their support for the funds to be accepted.

Information concerning WRDA, including documents referenced in this notice, may be found on our San Francisco District website at <http://www.spn.usace.army.mil/Missions/Regulatory/WaterResourcesDevelopmentAct.aspx>. If you have questions or need additional information please contact the North Branch Chief, Laurie Monarres, at 415-503-6774, or email Laurie.A.Monarres@usace.army.mil.