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U.S. Department
of Transportation
**Federal Highway
Administration**

**Federal Highway Administration
California Division**

September 3, 2009

650 Capitol Mall, Suite 4-100
Sacramento CA 95814
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In Reply Refer To:
HDA-CA
Placer Parkway

Ms. Nancy Haley, Chief
California North Branch
Regulatory Division, Sacramento District
U.S. Army Corps of Engineers
1325 J Street
Sacramento, CA 95814

Dear Ms. Haley:

Over the last six years, the Federal Highway Administration (FHWA), the California Department of Transportation (Caltrans), and the South Placer Regional Transportation Authority (SPRTA) have coordinated with the U.S. Environmental Protection Agency (EPA), the U.S. Army Corps of Engineers (ACOE), and the U.S. Fish and Wildlife Service (FWS) on the Placer Parkway Corridor Preservation Tier 1 Environmental Impact Statement/Program Environmental Impact Report (Tier 1 EIS/EIR). Coordination for this Tier 1 EIS/EIR was governed by modifying the National Environmental Policy Act/Clean Water Act Section 404 Integration Process for the Surface Transportation Projects Memorandum of Understanding (NEPA/404 MOU).

FHWA is requesting your concurrence that Alternative 5 is the corridor most likely to contain the Least Environmentally Damaging Practicable Alternative (LEDPA). This request is based on the June 2008 LEDPA package submitted by FHWA and the additional information developed during the past year which is listed below and attached to this letter.

FHWA is also requesting your concurrence on the Mitigation Framework included as the last attachment to this letter. The Mitigation Framework, as discussed at our August 5, 2009 meeting, describes in general terms the processes that the project proponent/Lead Agency will use to mitigate the impacts of the project.

As background, on June 24, 2008, the FHWA requested your concurrence that Alternative 5 is the most likely corridor to contain the Least Environmentally Damaging Practicable Alternative (LEDPA). On August 14, 2008, the ACOE and EPA did not concur and the NEPA/404 staff group agreed to initiate the dispute resolution process. The Informal (Mid-level managers) elevation meeting was held on October 15, 2008, and a Formal (Senior-level managers) elevation



meeting was held on January 23, 2009. The NEPA/404 staff group was directed to reconvene and develop a mutually acceptable solution. Meetings on April 17, May 29, and August 5 resulted in the following additional information:

1. Terms of a No-Access Easement for the Buffer Area Adjacent to Placer Parkway, including a figure depicting the easement area in relation to Alternative 5;
2. Additional clarification in a July 7, 2009 memo from Stan Tidman – Transportation Agencies' Response to Erin Foresman Feedback (emailed on July 8);
3. Summary of resources agencies' concerns and additional clarification in a July 31, 2009 document entitled Transportation Agencies CE (conservation easement) Responses to the July 2009 Resources Agencies' Feedback;
4. Discussion and agreement regarding the items identified in Item 3, as recorded in the Meeting Minutes of the meeting of August 5, 2009. The agreement reached at the August 5, 2009 meeting is memorialized in the attached Terms of a No-Access Easement for the Buffer Area Adjacent to Placer Parkway.

FHWA, Caltrans, and SPRTA appreciate your consideration of the information provided in this letter and attachments.

If you have any questions or require any additional information, please contact Gary Sweeten, North Team Leader, Local Agency Programs, at (916) 498-5128.

Sincerely,



For
Walter C. Waidelich, Jr.
Division Administrator

Enclosures:

June 24, 2008 FHWA letter requesting concurrence that Alternative 5 is the most likely corridor to contain the Least Environmentally Damaging Practicable Alternative (LEDPA).

July 7, 2009 memo from Stan Tidman – Transportation Agencies' Response to Erin Foresman Feedback

July 31, 2009 Transportation Agencies CE Responses to July 2009 Resources Agencies' Feedback

Meeting Minutes, August 5, 2009 Interagency Meeting

“Terms of a No-Access Easement for the Buffer Area Adjacent to Placer Parkway” as revised August 5, 2009

Placer Parkway Corridor Preservation - Tier 1 Mitigation Framework Pursuant to Modified NEPA/404 Agreement (September 1, 2009)