

## ATTACHMENT 1

### MODIFIED NEPA/404 PROCESS

This Attachment 1 contains the following documents:

Letter from Lisa B. Hanf, Manager, Federal Activities Office, U.S. Environmental Protection Agency (EPA), to Maiser Khaled, Director, Project Development & Environment, Federal Highway Administration, dated April 1, 2004

Document entitled, 'Modification of the "National Environmental Policy Act/Clean Water Act Section 404 Integration Process for Surface Transportation Projects Memorandum of Understanding (NEPA/404 MOU)" for application to the Placer parkway Corridor Preservation Project,' dated April 12, 2004

Placer Parkway Corridor Preservation & Tier 1 EIS/EIR, Excerpts from Final Meetings Notes, April 12, 2004, and list of meeting attendees.

Together, these documents provide the background and agreement related to application of the NEPA/404 MOU to the Placer Parkway Corridor Preservation Project among the U.S. Army Corps of Engineers, EPA, Federal Highway Administration, California Department of Transportation (Caltrans), and the Placer County Transportation Planning Agency on behalf of the South Placer Regional Transportation Authority.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

April 1, 2004

Mr. Maiser Khaled, Director  
Project Development & Environment  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814

Dear Mr. Khaled:

On October 23 2003, the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (Corps) met with Federal Highway Administration (FHWA), the Placer County Transportation Planning Authority (PCTPA), and California Department of Transportation (Caltrans) to discuss the Placer Parkway Corridor Preservation project.

At that meeting, the FHWA agreed that the National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU) would be used for the Placer Parkway Tier 1 Environmental Impact Statement (EIS), with modifications appropriate for decisions made at Tier 1. The EPA, in consultation with the Corps, has prepared a draft modified NEPA/404 process (attached), for interagency review and comment. We expect that the Tier 2 EIS for the project-level analysis would follow the standard NEPA/404 MOU process.

**Background**

The FHWA and PCTPA have chosen to use a tiered NEPA process for the Placer Parkway project. The stated goal for the Placer Parkway Tier 1 EIS is to identify a corridor for right-of-way preservation. The goal of the Tier 2 EIS is to provide the information required for project approval, permits and authorization of construction of the Placer Parkway. After Tier 2 project approval, but before project construction, the project proponents will need to obtain a Clean Water Act (CWA) Section 404 individual permit from the Corps.

The CWA Section 404(b)(1) Guidelines (Guidelines) are binding, substantive regulations that restrict CWA Section 404 permits to the "least environmentally damaging practicable alternative (LEDPA)." The Corps cannot grant a CWA Section 404 permit to a preferred project alternative that is not the LEDPA; therefore, it is critical that the LEDPA is not prematurely eliminated during the Tier 1 NEPA review.

The most efficient way to guarantee that the LEDPA is not prematurely eliminated is to prepare a project-level analysis, rather than a tiered analysis. Although a Tier 1 landscape-level analysis may provide enough information to eliminate alternatives that would clearly have the *greatest* environmental impacts, the analysis may *not* be detailed enough to identify with certainty a single alternative that is likely to contain the LEDPA. Additional detailed analysis may be required to further narrow the range of alternatives.

Since FHWA and PCPTA have chosen a tiered process over a project-level analysis, EPA supports their decision to initiate the NEPA/404 MOU at Tier 1, with modifications necessary for Tier 1 decision making.

### **Early Consideration of the CWA Section 404(b)(1) Guidelines**

Decisions made at the Tier 1 level should anticipate the requirements of the Section 404(b)(1) Guidelines that will need to be met in order to obtain a Section 404 permit at Tier 2.

The Guidelines prohibit all discharges of dredged or fill material into waters of the United States (waters) unless a discharge, as proposed, constitutes the least environmentally damaging practicable alternative that will achieve the project purpose (40 CFR 230.10(a)). Alternatives that avoid discharges of dredged or fill material into waters are assumed to have less adverse impact to the aquatic environment than alternatives that require fill in waters (40 CFR 230.10(a)(1)(i)). Certain waters, including wetlands, are "special aquatic sites" and, as such, are provided special protection under the Guidelines.

Specifically, if a project is 1) not water-dependent, and 2) proposes to discharge dredged or fill material into a "special aquatic site," the Guidelines establish a regulatory presumption that a less environmentally damaging practicable alternative exists (40 CFR 230.10(a)(3)). The burden of proof rests with the permit applicant to rebut this presumption. Consequently, the focus of an alternatives analysis needs to be on alternatives that avoid impacts to waters. These "avoidance alternatives" could involve alternatives that do not require securing a new right-of-way corridor for the proposed Placer Parkway including maximizing use of existing infrastructure, congestion pricing, or adjusting the project study area to include alignments that avoid more aquatic resources.

Early consideration of Section 404 permit requirements may avoid delays at later stages of the project. In particular, the Tier 1 evaluation should:

- Evaluate alternatives that maximize avoidance of impacts to waters of the U.S., including special aquatic sites, as defined in the Section 404(b)(1) Guidelines (40 CFR 230 Subpart E).
- Ensure that alternatives that might contain the LEDPA are not prematurely eliminated.

### **Proposal**

A modified NEPA/404 process will be used for this Tier 1 project. The modifications reflect the fact that the Tier 1 project will not result in a Section 404 permit application. Unless otherwise indicated, all other terms of the standard NEPA/404 MOU (1993) remain in effect.

Our goal in using the modified NEPA/404 process is to provide early direction to FHWA and PCPTA so that Tier 1 decisions reflect careful consideration of the Section 404(b)(1) Guidelines. FHWA and PCPTA should address the Guidelines as early as possible and eliminate the need to revisit decisions in Tier 2 that might otherwise conflict with Section 404 permit requirements. The modified NEPA/404 process at Tier 1 includes five interagency concurrence points:

3. Purpose and Need
4. Criteria for Selecting the Range of Alternatives
5. Range of Alternatives
6. Alternative(s) most likely to contain the LEDPA
7. Mitigation Framework

These Tier 1 concurrence points are sequential, each one building upon and consistent with previous concurrences. Concurrence points #1 to #3 occur prior to completion of the Tier 1 Draft EIS. Concurrence points #4 and #5 occur prior to completion of the Tier 1 Final EIS. The concurrence process is outlined in Section VI of the MOU. The NEPA/404 signatory agencies may agree to bundle concurrence points for purposes of review.

The attached document elaborates this proposal. We welcome your input on this proposal, and look forward to discussing your comments and suggestions at the next Placer Parkway interagency meeting on April 12, 2004.

If you have any questions, please contact Nancy Levin (415-972-3848) and Erin Foresman (415-972-3396) at EPA, or Tom Cavanaugh at the Corps (916-557-5261).

Sincerely



Lisa B. Hanf, Manager  
Federal Activities Office

cc: Komc Ajise, Caltrans District 3  
Celia McAdam, Placer County Transportation Planning Authority  
Mike Jewell, U.S. Army Corps of Engineers  
Tom Cavanaugh, U.S. Army Corps of Engineers

Enclosure: Proposed NEPA/404 MOU Process Modified for Tier 1

Modification of the "National Environmental Policy Act/Clean Water Act  
Section 404 Integration Process for Surface Transportation Projects  
Memorandum of Understanding (NEPA/404 MOU)"<sup>1</sup>  
for application to  
the Placer Parkway Corridor Preservation Project  
April 12, 2004

---

The NEPA/404 MOU integrates requirements of the Clean Water Act Section 404 permit process into the NEPA environmental review. This integration facilitates the preparation of the Section 404 permit application at the end of the NEPA process. While a Tier 1 evaluation will not result in a Section 404 permit application, the associated Tier 2 project will require a permit. Therefore, the NEPA/404 process is modified for Tier 1 to reflect decisions made at Tier 1, and to anticipate the permit application requirements at Tier 2. The NEPA/404 process for Tier 2 will follow the standard procedure outlined in Appendix A of the NEPA/404 MOU.

The goal of the modified NEPA/404 process for Tier 1 is to ensure that Tier 1 decisions reflect careful consideration of the 404(b)(1) Guidelines (40 CFR 230), which are binding, substantive regulations implementing the Clean Water Act. The Guidelines should be addressed as early as possible in the Tier 1 NEPA evaluation to eliminate the need to revisit decisions in Tier 2 that might otherwise conflict with 404 permit requirements.

The Tier 1 (modified) and Tier 2 (standard) NEPA/404 processes are similar in many respects. Both Tier 1 and Tier 2 NEPA/404 include five concurrence points<sup>2</sup>. The main difference between Tier 1 and Tier 2 NEPA/404 processes are the last two concurrence points. In Tier 2, the project proponent seeks agency concurrence on the "least environmentally damaging practicable alternative" (LEDPA) and the conceptual mitigation plan for the LEDPA. In Tier 1, however, the project proponent seeks agency concurrence on the alternative (corridor) *most likely to contain the LEDPA*, and on the *general framework* for mitigation. All other elements of the standard NEPA/404 process apply, unless otherwise indicated.

The Tier 1 modified NEPA/404 process includes five concurrence points:

1. Purpose and Need
2. Criteria for Selecting the Range of Alternatives
3. Range of Alternatives
4. Alternative(s) most likely to contain the LEDPA
5. Mitigation Framework

---

<sup>1</sup>Signed by Federal Highway Administration, Federal Transit Administration, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, National Marine Fisheries Service, California Department of Transportation, Arizona Department of Transportation, Nevada Department of Transportation (1993).

<sup>2</sup>Concurrence/Non-Concurrence is described in Section VI of the NEPA/404 MOU.

These concurrence points are sequential, each one building upon and consistent with previous concurrences. Concurrence points #1 to #3 occur prior to completion of the Tier 1 Draft EIS. Concurrence points #4 and #5 occur prior to completion of the Tier 1 Final EIS. The NEPA/404 signatory agencies may agree to bundle concurrence points for purposes of review.

#### Concurrence Point #1: Purpose and Need

The Council on Environmental Quality regulations implementing NEPA call for a statement of purpose and need (40 CFR 1502.13). The Section 404(b)(1) Guidelines include a basic purpose (40 CFR 230.10(a)(3)) and an overall project purpose (40 CFR 230.10(a)(2)). For NEPA/404 integration, one statement of purpose and need should be developed to meet all requirements.

The NEPA purpose and need statement briefly specifies the underlying purpose and need of the proposed project. The NEPA document should explain the project need, and demonstrate the project's logical termini and independent utility.

The Section 404(b)(1) Guidelines basic purpose is a brief statement that assists regulators in determining whether a project is water-dependent. The overall project purpose is an elaboration of the basic purpose, and provides a more specific description of the purpose and need for the project.<sup>3</sup> The overall project purpose should be broad enough to allow for an appropriate range of alternatives that avoid special aquatic sites, as defined in the Section 404 (b)(1) Guidelines (40 CFR 230 Subpart E). "Avoidance alternatives" could include alternatives that do not require securing a new right-of-way, maximize use of existing infrastructure, implement congestion pricing, or adjust the project study area to include alignments that impact fewer aquatic resources.

#### Concurrence Point #2: Criteria for Selecting the Range of Alternatives

The project sponsor develops criteria for selecting a reasonable range of alternatives. If the number of potential alternatives generated is very large, only a reasonable number of examples, covering the full spectrum of alternatives, must be analyzed and compared in the EIS.<sup>4</sup> The criteria can be used to screen out or narrow the range of alternatives that will be carried forward for analysis in the Draft EIS. For NEPA/404 MOU projects, environmental criteria should be applied so that each alternative can be ranked based on its impact to the aquatic ecosystem.

Two types of screening criteria that can be effective for Tier 1 decision making are "project purpose" and "fatal flaw" analyses. Under the Clean Water Act Section 404 (b)(1) Guidelines, an alternative may be eliminated from consideration in the Draft EIS if it does not meet the project purpose. Fatal flaws are unavoidable or unmitigatable impacts associated with an alternative that are so great that the project could never go forward.

---

<sup>3</sup>For a discussion of basic purpose and overall project purpose, see Yocom, T.G., R.A. Leidy, and C.A. Morris. 1989. "Wetlands Protection Through Impact Avoidance: A Discussion of the 404(b)(1) Alternatives Analysis." Wetlands. Vol 9, No. 2, pages 283-297.

<sup>4</sup>Council on Environmental Quality's Questions and Answers about the NEPA Regulations, Question 1.b. (1981)

Concurrence Point #3: Range of Alternatives

The Range of Alternatives includes those alternatives that will be evaluated in the Draft EIS. For NEPA/404 projects, the range should include alternatives that avoid and minimize impacts to waters of the U.S. to the greatest extent possible. The range can include reasonable alternatives not within the jurisdiction of the lead agency, and a no-action alternative (40 CFR 1502.14 (c) and (d)).

— Tier 1 DEIS Circulation and Public Comment Period —

Concurrence Point #4: Alternative(s) most likely to contain the LEDPA

The U.S. Army Corps of Engineers cannot grant a CWA Section 404 permit to a Tier 2 preferred alternative that is not the LEDPA. Therefore, it is critical that any alternative likely to contain the LEDPA is not prematurely eliminated during the Tier 1 NEPA review. Although a Tier 1 landscape-level analysis may provide enough information to eliminate alternatives that would clearly have the *greatest* environmental impacts, the analysis may not be detailed enough to identify with certainty a *single* alternative that is likely to contain the LEDPA. If the Tier 1 analysis indicates that there are several alternatives likely to contain the LEDPA, and the lead agency does not want to prematurely eliminate any alternative likely to contain the LEDPA, then all of the alternatives likely to contain the LEDPA should be carried forward to Tier 2.

However, the lead agency can attempt to further narrow the range of alternatives likely to contain the LEDPA by performing additional analysis in Tier 1. Analytical tools could include:

- functional assessment of aquatic resources,
- photo-interpretation of aerial photos,
- spot surveys,
- delineations in selected areas of special significance,
- full delineation of waters of the U.S., or
- geo-referenced data points from delineations done for this or other projects.

If the lead agency chooses to eliminate in Tier 1 any alternative(s) likely to contain the LEDPA, there is a risk that the eliminated alternative(s) may need to be revisited in Tier 2.

Concurrence Point #5 – Mitigation Framework

The Tier 1 mitigation framework will describe in general terms the processes that the project sponsor will use to maximize opportunities for successful mitigation, including long-term mitigation and management of resources. The framework should identify:

1. Mitigation options available for creation, restoration, enhancement and preservation of aquatic resources (e.g., land dedication, acquisition of conservation easements, in lieu fees for acquisition, mitigation banks), and potential mitigation sites.

2. Opportunities to build upon existing or planned conservation efforts of other agencies and non-governmental organizations for the purposes of protecting and restoring large, intact landscapes.
3. Institutions and instruments for long-term management of mitigation sites.

— *Tier 1 FEIS Circulation. Agency Comment Period. Tier 1 Record of Decision.* —

**Note:** It is presumed that the Tier 2 project will follow the standard NEPA/404 MOU process.

**Placer Parkway Corridor Preservation & Tier 1 EIS/EIR**  
**Excerpts from Final Meeting Notes**  
**April 12, 2004**

**Review Draft Modified NEPA/404 Process**

- A. Clarification of Intent of Modified NEPA/404 Process ("the process")
1. The purpose of the Modified NEPA/404 process for Tier 1 projects is to provide early direction/guidance to FHWA and PCTPA so that Tier 1 decisions for Placer Parkway reflect careful consideration of Clean Water Act Section 404(b)(1) Guidelines. It is intended to streamline the overall environmental review and 404 permitting process by avoiding the need to revisit alternatives eliminated in Tier 1 during the Tier 2 process.
  2. All parties have an interest in a sound defensible process, based on credible information and consistent with the laws and regulations they are authorized to uphold.
  3. With this modified process, EPA and Corps are trying to clarify the questions that need to be asked and answered in Tier 1, so that a LEDPA can be identified and concurred on in Tier 2. We are trying to anticipate the "sticky questions" that may arise, and have some upfront agreement on how we will address them. (Note: This modified process, had it been available, would have helped us avoid problems in some previous Tier 1 NEPA/404 projects).
  4. This proposal is not intended to turn a Tier 1 process into a Tier 2 (project-level) process. It is intended to provide enough certainty that alternatives eliminated in Tier 1 do not need to be revisited in Tier 2. It provides a decision-making framework and tools for further narrowing the range of alternatives in Tier 1 without prematurely eliminating the alternative likely to contain the LEDPA.
  5. EPA understands that PCTPA's Tier 1 objective is to identify a single corridor alternative (500' - 1,000' wide) within which a transportation facility can be located, so that right-of-way can be preserved/acquired, due to intense development pressures.
  6. At this point, still early in the process, the alternatives under consideration by PCTPA appear to have relatively similar, and significant, impacts to aquatic/environmental resources.
  7. EPA reminded the group that "tiering" under NEPA does not require that only one alternative be selected to advance to Tier 2. Multiple alternatives can, and often are, advanced to Tier 2.
  8. EPA and the Corps understand the reasons why PCTPA has chosen as its goal to identify a single alternative in Tier 1. EPA and the Corps cannot guarantee this outcome, and PCTPA cannot meet project's objective without it.
- B. Clarification of Project Description
1. FHWA pointed out that the term "alternative" can mean different things in a Tier 1 and Tier 2 context. In Tier 1, "alternative" may refer to a corridor (which could have multiple alignments), while in Tier 2, "alternative" would often mean a specific alignment.
  2. Alternatives identified in Tier 1 could undergo some modification in Tier 2: narrower/-wider/refinement of location, etc.
- C. Purpose and Need
1. Should be narrow enough to focus the range of alternatives, but broad enough so as not to preclude a reasonable range.
  2. The Tier 1 alternative(s) most likely to contain the LEDPA must meet the project's purpose and need; LEDPA is not defined by the one best meeting purpose and need.
  3. NEPA regulations do not preclude looking at alternatives outside of the Agency's control; purpose and need should not be so narrowly drawn that this is precluded.

Placer Parkway Corridor Preservation & Tier 1 EIS/EIR  
Excerpt from April 12, 2004 NEPA/404 Meeting Summary

- D. Clarification of NEPA/404 Decision-Making Process
1. The NEPA document must disclose all significant environmental impacts and so that decision-makers can make informed decisions. Significance = context + intensity.
  2. NEPA/404 process will consider all NEPA impacts (socioeconomic, EJ, Section 4(f), Section 106, special status species, etc.), but bias is to the aquatic environment. COE follows legislative mandate.
  3. Concern raised as to application of "practicable", i.e., economic feasibility, applicability of special NEPA considerations such as identified in #2 above, direction from elected officials. Agreed that there is no "bright line" as to a definition of "practicable." Context is important.
- E. Points Made Concerning Corridor Alternatives Analysis
1. Need to consider alternatives' role in directing and distributing growth, and the resulting potential impacts on resources, not just rate of growth.
  2. Placer County now considering a community plan for area south of Pleasant Grove Creek to county lines, coordinating with Placer Legacy NCCP/HCP and Placer Parkway processes. The Community Plan will be informed by and consistent with the NCCP/HCP Conservation Strategy (Draft, September 8, 2003). Speaks to EPA request at August 2003 meeting for a Placer County vision for western Placer County.
- F. Project Team's Comments on EPA April 1, 2004 letter
1. Letter, page 1, penultimate paragraph re "analysis may not be detailed enough to identify with certainty a single alternative that is likely to contain the LEDPA": discussed under Item IV.A above.
  2. Modified Process, Attachment to letter, page 3, first full paragraph including bullets
    - a. Concern raised about how much information is needed for Tier 1 determination? The Modified NEPA/404 process for Tier 1 does not call for a full Tier 2 project-level of analysis. However, PCTPA wishes to eliminate all but one alternative in Tier 1. If resource/regulatory agencies are to make commitments not to revisit alternatives eliminated in Tier 1, the resource/regulatory agencies must a clear basis for doing so. Agencies cannot provide concurrence unless it is clear that the alternatives eliminated in Tier 1 do not contain the LEDPA. This may require more than landscape-level information. Study area subject to prior GIS-level analyses related to development of two HCPs; results in substantial amount of data, already subject to federal agency review. Project team is looking forward to sharing this info with the agencies. Agencies cannot comment until they see the available documentation.
    - b. Will evaluate other options (e.g., use of improved existing infrastructure, light rail, congestion pricing, others). Project team's preference is to consider during Tier 1 so as not to carry forward into Tier 2 unless data show these alternatives are most likely to contain the LEDPA, and meet the project purpose and need.
    - c. Should we be considering a Tier 2 document at this time? Intense development pressure and ongoing planning efforts (NCCP/HCP and the Curry Creek Community Plan, other development proposals) require the identification of a corridor as soon as possible. Tier 2 would require significant additional information, especially for CEQA review, not available within available timing and funding constraints. For these reasons, PCTPA has chosen to go through a tiered process.
    - d. Could "fine tune" corridor during Tier 2. The corridor boundaries could be adjusted to

Placer Parkway Corridor Preservation & Tier 1 EIS/EIR  
Excerpt from April 12, 2004 NEPA/404 Meeting Summary

avoid and minimize environmental resources.


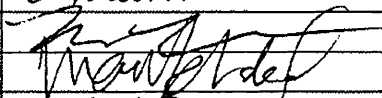

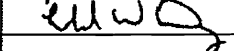
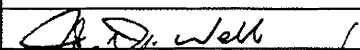
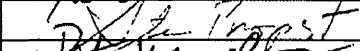

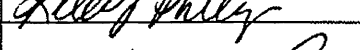

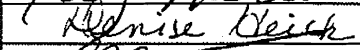
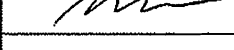
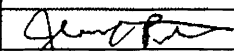

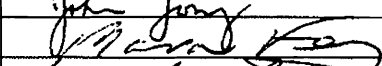
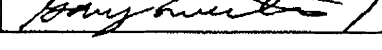
3. Modified Process, Attachment to letter, page 3, Concurrence Point #5 – Mitigation Framework
  - a. FHWA cannot purchase land to preclude development, as it is not in their mandate to get involved in local planning and zoning decisions; can acquire land for transportation purposes only, including mitigation for direct impacts.
  - b. ACOE clarified that the language is only intended to apply to land required as mitigation for project impacts. For Tier 1, mitigation strategies should be discussed so as to avoid problems at later project stages. EPA noted that a detailed mitigation plan would not be required until the permit phase.
  - c. All referred to problems on prior projects, and that early consultation and awareness of mitigation requirements would help to reduce issues later in the process.
  - d. Clarified that the project can't mitigate to achieve LEDPA. LEDPA should be identified before compensatory mitigation for impacts.
  - e. Question raised as to "bundling" Concurrence Point #5 with Concurrence Point #4, if actual mitigation not to be identified in Tier 1. For now, agreed to leave as is, but to revisit when considering Concurrence Point #4.
4. Agreed to Proposed Modification as presented in April 1, 2004 EPA letter and attachment, with these meeting notes memorialized as adjunct to it. No plans to further formalize with signatures.

G. Upcoming New Guidance

1. Caltrans/FHWA/EPA are developing cumulative and indirect effects guidance. The project team expressed interest in receiving the guidance when it becomes available.
2. NEPA/404 integration MOU is being revised. Will not be ready until end of this year or sometime next year. Until the revised NEPA/404 MOU is signed, we are using the current MOU.

**Placer Parkway Corridor Preservation Tier 1 EIS/EIR  
Modified NEPA/404 Process Meeting  
Date: 12 April 2004**

**Sign-In Sheet**

Name (Please Print)	Affiliation	Signature	Phone Number	Email Address
Tom Cavanaugh	ACOE		916-557-5811	thomas.j.cavanaugh@dswcc.army.m
Michael Jewell	ACOE			
Erin Foresman	EPA	<i>E. Foresman</i>	415 972 3396	foresman.erin@epa.gov
Nancy Levin	EPA		415 972 2384	
Maiser Khaled	FHWA		498-5020	maiser.khaled@fhwa.DOT.GOV
Leland Dong	FHWA		498-5860	leland.dong@fhwa.dot.gov
Japtej Gill	Caltrans			
John Webb	Caltrans		916-274-0588	john-webb@dot.ca.gov
Steve Propst	Caltrans		916-274-0608	steve-propst@dot.ca.gov
Pat McAchren	Caltrans		274-0561	
Kelley Phillips	Caltrans		916-274-0569	kelley-phillips@dot.ca.gov
Stan Tidman	PCTPA			
Celia McAdam	PCTPA		530-823-4630	cmcadam@pctpa.org
Denise Heick	URS		415-243-3811	denise-heick@urscorp.com
Fritts Golden	URS		415-243-3761	
Steve Leach	URS			
Jenny Pretare	URS		510-874-1734	jennifer.pretare@urscorp
John Long	DKS Associates		916-368-2600	jpl@dksassociates.com
Mara Feeney	Mara Feeney		415-863-8760	mara@marafeeney.com
Gary Swaiter	FHWA		(916) 498-5128	gary.swaiter@fhwa.dot.gov



**Stan Tidman**

---

**From:** Denise\_Heick@URSCorp.com  
**Sent:** Thursday, May 06, 2004 11:24 AM  
**To:** thomas.j.cavanaugh@usace.army.mil; Maiser Khaled; Leland Dong; Japtej Gill; John\_Webb@dot.ca.gov; Steve Propst; Patrick McAchren; 'John Long'; mara@marafeeney.com; Stan Tidman; Celia McAdam  
**Cc:** Kelley\_Phillips@dot.ca.gov; Steve\_Leach@urscorp.com; Jennifer\_Pretare@URSCorp.com; Fritts\_Golden@URSCorp.com; Wynne\_Kwan@URSCorp.com; Keith\_Dewey@URSCorp.com; mark\_hale@urscorp.com; Brian\_Hatoff@urscorp.com; Cathy Spence-Wells  
**Subject:** Tier1 NEPA-404 for Placer Pkwy



PlacerPkwyTier1  
IEPA-404.pdf (4..

Denise Heick  
415-243-3811 (direct phone line)  
415-882-9261 (fax)  
Denise\_Heick@urscorp.com  
----- Forwarded by Denise Heick/SanFrancisco/URSCorp on 05/06/2004 11:12 AM  
-----

Levin.Nancy@epamail.epa.gov  
il.epa.gov To: denise\_Heick@URSCorp.com  
cc: Foresman.Erin@epamail.epa.gov, Blazej.Nova@epamail.epa.gov  
05/05/2004 04:04 PM Subject: Tier1 NEPA-404 for Placer Pkwy

Hi Denise,

Attached is the Modified NEPA/404 process that was agreed on by FHWA, Caltrans, PCTPA, the Corps and EPA at the April 12, 2004 Placer Parkway meeting. The only changes I made since April 12th was to remove the word "proposed" and fix the bullet point numbering, per the groups' instructions.

Please let me know if you have any questions. Thanks.

(See attached file: PlacerPkwyTier1NEPA-404.pdf) \_\_\_\_\_ Nancy Levin U.S. EPA,  
Region 9  
75 Hawthorne Street, CMD-2  
San Francisco CA 94105-3901

t: (415) 972-3848  
f: (415) 947-8026  
e: levin.nancy@epa.gov

