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Bcc: []
From: CN=Tom Hagler/OU=R9/O=USEPA/C=US
Sent: Wed 10/29/2014 4:55:45 PM
Subject: Fw: BDCP 404 Permitting
BDCP-CWA-section 404 approach-bullets-8-25-11.docx

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From: Karen Schwinn/R9/USEPA/US
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Cc: Erin Foresman/R9/USEPA/US@EPA, Tom Hagler/R9/USEPA/US@EPA, "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>, "Jewell, Michael S SPK" <Michael.S.Jewell@usace.army.mil>
Date: 11/28/2011 03:19 PM
Subject: BDCP 404 Permitting

Paul and David -

I understand there is another BDCP 404 meeting with DWR and their consultants this Thursday. I'm concerned about the lack of progress we've seen at (and between) these meetings. I'm sure you are as well. I think it'd be worth our discussing this before Thursday.

My perception is one cause of delay has been the continuing conversation about using a "regional LEDPA" approach to BDCP permitting. (I've attached DWR's paper on this below.) Erin, Tom and I have spoken a number of times about this and we conclude that this is not likely to be a successful approach in this situation (as much as we have championed the notion in Placer County). Given the BDCP permitting schedule (with the conveyance project coming first, to be followed by as-yet-unspecified restoration projects), I don't see that we have the basis for a regional LEDPA. (In Placer, avoidance and minimization are to occur at the same time as impacts from the development projects. There, the plan will identify areas for development and areas for conservation/restoration that will occur together over the life of the permit. BDCP is not currently an analogous situation.)

I've raised our concern more than once with DWR (Dale, Michelle, Cassandra). Even after those conversations, I am not clear on what DWR hopes to gain by a regional LEDPA approach. If you share this view, perhaps we can send a more effective message together. - Karen

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p.s. The other issue with these meetings is the absence of the federal lead agencies, something we've raised before and would still like to change.

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