



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. Army Engineer District, Sacramento
Corps of Engineers
1325 J Street
Sacramento, California 95814-2922

Operations and Readiness Branch

JAN 17 2014

Mark McLoughlin
California High Speed Rail Authority
770 L Street, Suite 800
Sacramento, California 95814

Dear Mr. McLoughlin:

I am writing in response to your November 4, 2013, letter requesting a Section 408 determination for the crossings of the Kings River Complex within the proposed Fresno to Bakersfield segment of the California High-Speed Train ("CHST") Project. In accordance with our *National Environmental Policy/Clean Water Act Section 404/Rivers and Harbors Act Section 14 Integration Process for the California High Speed Train Program Memorandum of Understanding* dated November 2010 (NEPA/404/408 MOU), this letter is our written response for the Section 408 component of Checkpoint C.

Based on the information provided, the Sacramento District preliminarily recommends Section 408 approval for the crossing of the Kings River Complex of the CHST project between Fresno and Bakersfield. The preliminary designs show that the impacts from the proposed project are minor, low impact modifications to the flood risk reduction project and the modifications will not adversely affect the functioning of the flood protection facilities. The proposed work will cross a project operated and maintained under agreement with the U.S. Army Corps of Engineers by the Kings River Conservation District (KRCD) and appears to require a California Central Valley Flood Protection Board (CVFPB) encroachment permit. Please work with the KRCD and the CVFPB as the design is further developed. The Sacramento District will coordinate with the KRCD to ensure the proposed project will not impact the KRCD's ability to operate and maintain the Kings River Complex. Sacramento District's final recommendation will be made as part of the review of the CVFPB encroachment permit application when one is submitted. If the design changes this recommendation is no longer valid and may require approval from Headquarters, U.S. Army Corps of Engineers.

Please contact Ryan Larson at 916-557-7568 or ryan.t.larson2@usace.army.mil if you have any questions. A copy of this letter is being furnished to Mr. Steve Stadler, Deputy General Manager of Water Resources, Kings River Conservation District at 4886 East Jensen Avenue, Fresno, CA 93725 and Mr. Len Marino, Chief Engineer, Central Valley Flood Protection Board at 3310 El Camino Avenue, Room 151, Sacramento, CA 95821.

Sincerely,


Rick L. Poepelman, P.E.
Chief, Engineering Division
Levee Safety Officer