



DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
1455 MARKET STREET  
SAN FRANCISCO, CALIFORNIA 94103-1398

March 22, 2016

Lawrence J. Goldzband  
Executive Director  
San Francisco Bay Conservation and Development Commission  
455 Golden Gate Avenue, Suite 10600  
San Francisco, California 94102

Jeffrey L. Payne, Director  
Office for Coastal Management  
National Oceanic and Atmospheric Administration  
1401 Constitution Avenue, NW, Room 5128  
Washington, D.C. 20230

Dear Director Payne and Mr. Goldzband:

The U.S. Army Corps of Engineers (USACE) would like to thank the San Francisco Bay Conservation and Development Commission (BCDC) for its offer of mediation in accordance with 15 C.F.R. §§ 930.44, 930.112. While the USACE understands the BCDC's concerns as outlined in its March 10, 2016, correspondence, the USACE must respectfully decline the offer. The USACE is unable to mediate on the federal standard, which is a federal regulatory requirement.

If you have any questions or require additional information, please contact Arijs Rakstins at (415) 503-6720 or [Arijs.A.Rakstins@usace.army.mil](mailto:Arijs.A.Rakstins@usace.army.mil)

Sincerely,

A black rectangular redaction box covering the signature of John C. Morrow.

John C. Morrow  
Lieutenant Colonel, US Army  
District Engineer

cc: Alex G. Tse, Chief, Civil Division, United States Attorney's Office  
Brigadier General R. Mark Toy, Commander, South Pacific Division, USACE  
Steven L. Stockton, Director of Civil Works, USACE  
Dr. Russell Callendar, NOAA Assistant Administrator, National Ocean Service  
David Kaiser, NOAA Senior Policy Analyst  
Jared Blumenfeld, Regional Administrator, U.S. EPA, Region IX  
Bruce Wolfe, Executive Officer, SF Bay Regional Water Quality Control Board  
Chris Tiedemann, Supervising Deputy Attorney General, California Department of Justice