Questions from the audience for the speakers from the USACE, answered after the event:

1) **In the planning phase, are the necessary permits and mitigation measures for ongoing operations and maintenance of the constructed facilities included in the planning phase documents?**

Answer: The proposed action under consideration in the planning phase includes both initial construction and subsequent O&M. While the O&M phase permits themselves are typically not secured before the planning phase is complete, the requirements are generally identified and any mitigation is included in assessing the costs and cumulative impacts of the proposed action. As an integral component of any complete and acceptable project, mitigation features must be fully evaluated and identified during the planning phase (i.e. feasibility). Costs and benefits of mitigation features can even sway what alternative is recommended for implementation.

2) **When a project involving the Corps triggers both NEPA and CEQA, has the trend been do to more joint documents or fewer?**

Answer: The trend is for more joint NEPA-CEQA documents; only when there is a timing issue, typically driven by funding, do we see sometimes produce separate CEQA and NEPA products

3) **Please clarify section 203 regarding local contributions to navigation channel deepening planning studies: 1- are they reimbursable, e.g. Oakland model, 2- contributions for disposal facilities**

Answer: 1- The quick answer is no, they are not reimbursable, but they are creditable. The Feasibility Phase of a project is typically cost-shared 50/50 with the sponsor. Section 203 of WRDA 1986 states that a project sponsor may fund up to 100 percent of the feasibility study cost and can receive credit for 50 percent of the feasibility study cost during construction of the project. The caveat is that the project must be authorized for construction before the sponsor can be credited. The Government would not reimburse the sponsor but rather give credit for 50 percent of the feasibility cost as a portion of the sponsor's cost-share contribution during construction.

There is an ongoing discussion that we are continuing with the questioner about how easy it is to apply the 'Oakland model' today; apparently Section 211 of WRDA 2000 resulted in what's being perceived as further restrictions on how ports can carry out Section 203 (i.e. the ports ability to enter agreements with the Corps to produce elements of the study); this was subsequent to the Port of Oakland's use of it with us for their 50-ft deepening project.

2- Sponsor contributions for disposal ('placement') facilities are considered creditable as a General Navigation Feature when the facility is part of new work; older cost-sharing agreements tend to identify disposal facilities as a local responsibility for which the contributions are not reimbursed - sponsors, however, have the option to enter into new cost-sharing agreements on these features.

4) **Are there lessons learned from Katrina reconstruction efforts that we can apply locally to expediting flood protection and ecosystem restoration projects?**

Answer: I believe the primary efficiencies realized on Katrina reconstruction came from an authorization directing that the initial rebuild would achieve a specified level of protection (without a need to demonstrate an economic optimization for selecting that level of protection) and relatively optimal funding levels. If we are able to narrow the planning variables and prioritize funding levels to maintain optimal funding for a particular study, similar efficiencies could be realized.

5) **If you are not using engineering feasibility as a criteria for your alternatives analysis, what criteria will you be using?**

Answer: Excellent question, we have yet to do this but are presuming that we would have to characterize the level of analysis to be something more rigorous than "Recon level" yet not quite "feasibility". We will use the same criteria for our alternatives analysis as we always have (e.g. benefit-cost, environmental impacts, environmental compliance, cost-effectiveness and incremental analyses, etc.), but with a lesser level of detail or acceptance of greater uncertainty in the inputs used. The current feasibility level analyses is to be performed only on the tentatively selected plan. This approach may or may not suffice depending on the issues needing analysis, especially for NEPA etc. If the risks of such an approach are judged too great, we can only assume that some more refined (feasibility level) analysis may be added.

6) **What would it take for the USACE to accept local funding to expedite flood control projects without having to be subjected to paralyzing excuses why the corps cannot accept the local contribution?**

The paralyzing excuses seem to come from a climate in Congress that is very adverse to supporting any activity that could in anyway subvert the priorities of Congress; I'm not sure this will change until the Congressional/fiscal climate does. Since "contributed funds" imply no future obligation, these are anticipated to be easier to clear with the Administration and Congress than funds which are "accelerated" (paying local shares faster than the Federal share is appropriated) or "advanced" ("loaning" the Feds an amount that exceeds the requirements of the local share).

7) **What efforts have you made to bring USFWS along as a signatory to the 3x3x3? USFWS is on the critical path to realizing the 3x3x3 objectives?**

Answer: Concur that 3x3x3 cannot be completely effective if only the Corps subscribes to it; USFWS along with other Resource Agencies are very important to the process and can be invited to charrettes, etc. However, at this point, they are not a signatory. I understand that our Deputy Assistant Secretary of the Army for Civil Works, Mr. Rock Salt, plans to begin engagement with other agencies in the very near future.

8) **Is the USACE General Counsel agreeable to the 3x3x3 plan?**

Answer: USACE General Counsel is currently developing their guidance on the plan

9) **If you receive your environmental clearance and then have to wait 5+ years for construction funding, is your project's EIS still valid?**

Answer: The EIS can still be "valid" even after 5 years, but some amount of coordination with the Resource Agencies will be necessary to verify that circumstances/conditions have not changed enough to require a new EIS. So, I suppose the answer is 'it depends'; but, obviously,

more often than not, something will have changed necessitating some sort of update or supplement as a minimum.