



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

October 4, 2011

Office of the Commander
And District Commander

Donna Tisdale
Chair, Boulevard Planning Group
P.O. Box 1272
Boulevard CA 91905

Dear Ms. Tisdale:

Thank you for your letter dated September 6, 2011, on the Boulevard Planning Group's concerns regarding water source and road damage at the construction site of the Boulevard Border Patrol Station, Boulevard California. The U.S. Army Corps of Engineers is acting as the design and construction agent for Customs and Border Protection Agency (CBP). Straub Construction, Inc., the prime contractor on this project, and my staff have met frequently to address your concerns.

In regards to the speed of and passing by the water trucks serving the Border Patrol Station site, we can confirm that immediate action was taken to reduce speed and severely limit passing on the roads leading to the site. This item is visited during weekly safety meetings on-site.

Concerning local wells, every effort has been made to mitigate the impact on the neighbors. The Station's new wells have been built and tested to fully comply with San Diego County and California State permitting requirements. The septic system is also designed and will be constructed to fully comply with County and State requirements. The fuel station tanks will all be above-ground, double-walled construction, with spill response kits immediately available.

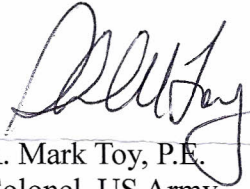
We realize the source of water for construction activities, Live Oak Springs Water and Power Company, is involved in a dispute with San Diego County concerning the right to sell water. Straub Construction and their subcontractors are required to obtain water from appropriately permitted source(s), and have confirmed to my staff on several occasions that Live Oak Springs Water & Power Company has a permit issued by the State, and as a result they believe that they have the right to sell water for this project. My staff also met with personnel from the County of San Diego, and understands the County position that Live Oak Springs does not have the authority to sell water to the construction site. The issue at hand is a water rights issue that may eventually need to be resolved in court between these parties.

We have advised Straub of your concerns, and also of the sensitivity of these issues for the surrounding community. Although we are limited as to legal recourse, we will continue to work with the contractor to best address your concerns. Most recently, my staff reengaged with the president of Straub, who volunteered to take steps to use water from one of the on-site wells as much as possible. Water use has been reduced substantially, so the well water needed will be minimal and will be closely monitored to ensure local groundwater is not overstressed.

The U.S. Army Corps of Engineers is executing this important homeland defense project for CBP. Since the officials working for CBP are the sole "face and spokespersons" for this project, please continue to coordinate with Agent Henry Soule and the San Diego Sector Public Affairs Officer.

"Building Strong and Taking Care of People!"

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Mark Toy". The signature is fluid and cursive, with a large initial "R" and a stylized "T".

R. Mark Toy, P.E.
Colonel, US Army
Commander and District Engineer