



PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR REGIONAL GENERAL PERMIT [Prado Constructed Wetlands and Santa Ana River]

Public Notice/Application No.: SPL-2012-00084-CLD

Project: Prado Constructed Wetlands and Santa Ana River

Comment Period: April 18th, 2012 through May 17th, 2012

Project Manager: Crystel Doyle; 951-276-6624 x260; Crystel.L.Doyle@usace.army.mil

Applicant

Orange County Water District
18700 Ward Street
Fountain Valley, CA 92708

Contact

Mr. Daniel Bott
(714) 378-3256

Location

The project is located within the Prado Constructed Wetlands (PCW) and along the Santa Ana River, within the northern portion of the Prado Basin, tributary to the Santa Ana River, between Prado Dam and the River Road bridge, east of State Route 71 and north of Pomona Rincon Road, in the County of Riverside, State of California; Latitude 33°54'09" to 33°55'24", Longitude 117°35'48" to 117°38'42" (as shown on Figure 1).

Activity

To establish a Regional General Permit (RGP) authorizing maintenance activities to maintain the PCW; including: (1) maintenance of wetland ponds, (2) maintenance of Santa Ana River diversion berm, (3) maintenance of diversion and conveyance channels, (4) maintenance of access roads, (5) maintenance of water conveyance structures, and (6) maintenance of Pheasant Field Levees. For more detailed information of each maintenance activity see page 5 of this notice.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). We invite you to review this public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that contributes to the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special

conditions, or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch
Riverside Regulatory Field Office
ATTN: Crystel Doyle
1451 Research Park Drive
Riverside, California, 92507-2154

Alternatively, comments can be sent electronically to: Crystel.L.Doyle@usace.army.mil

The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable waters and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material,

the evaluation of the activity will include application of the EPA Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency. The applicant has applied for 401 certification with the California Regional Water Quality Control Board, Santa Ana Region.

Coastal Zone Management- This project is located outside the coastal zone and preliminary review indicates that it would not affect coastal zone resources. A final determination of whether this project affects coastal zone resources will be made by the Corps, in consultation with the California Coastal Commission, after review of the comments received on this Public Notice.

Cultural Resources- The latest version of the National Register of Historic Places (NRHP) has been consulted. In addition, the applicant has provided additional information indicating that cultural resources listed on or potentially eligible to be listed on the NRHP may be located in the vicinity of the proposed project. The Corps will continue to evaluate potential effects on cultural resources and will make a determination on whether consultation with the State Historic Preservation Officer pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, is warranted.

Endangered Species- The proposed project may affect the following threatened or endangered species: Santa Ana Sucker (*Catostomus santaanae*). Therefore, the Corps has made a determination that the proposed project activities may affect Federal-listed species protected under the ESA. Consultation with United States Fish and Wildlife Service (USFWS), pursuant to Section 7 of the ESA, was initiated on February 2, 2012.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

Basic Project Purpose- The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material in to a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). The basic project purpose for the proposed project is to maintain the Prado Constructed Wetlands (PCW). The project is water dependent.

Overall Project Purpose- The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose for the proposed project is to conduct maintenance activities to maintain the PCW, including: (1) maintenance of wetland ponds, (2) maintenance of the Santa Ana River diversion berm, (3) maintenance of diversion and conveyance channels, (4) maintenance of access roads, (5) maintenance of water conveyance structures, and (6) maintenance of Pheasant Field Levees.

Additional Project Information

Baseline information- The PCW are located within the approximately 2,150 acres of land owned by the Permittee within the Prado Basin in western Riverside County. The PCW include 330 acres of freshwater marsh habitat, 33 acres of native riparian habitat, 33 acres of nonnative riparian habitat dominated by giant reed (*Arundo donax*), 12 acres of earthen channel/open water habitat, and 55 acres of access roads. When in full operation, the PCW consists of an approximately 465-acre area with 46 individual man-made ponds, 45 weir boxes, and a series of intervening dikes and maintenance roads (see Figure 2 for PCW configuration). Water is diverted into the wetlands from a 45-foot wide, 200-foot long, 6 to 10-foot high diversion berm that extends across the Santa Ana River downstream of the River Road Bridge. The berm is comprised of approximately 3,000 cubic yards of native sand material. The berm consists of a sand dike, culverts, canal gates, and 1.25 miles of conveyance channels. The diversion berm holds a few feet of water and diverts about half the low flow of the Santa Ana River through four 48-inch diameter pipes into the diversion channel and then into the PCW.

In 1996, the Permittee received permit approval from the Corps to modify the wetlands to serve as a natural water treatment facility to reduce nitrate concentrations in the Santa Ana River. The Corps approval allows the Permittee to divert up to 50 percent of the Santa Ana River flow for water quality treatment. In winter of 2010 the Prado Constructed Wetlands sustained significant damage and over 100,000 cubic yards of sediment and debris were deposited in the wetland ponds and diversion/conveyance channels over approximately 96 acres. The OWCD and the Federal Emergency Management Agency (FEMA) are proposing to reconstruct those portions that were damaged.

Currently, the Prado Constructed Wetlands are engineered for treating approximately 100 cubic feet per second of the Santa Ana River (SAR) flow for nitrogen removal. After the water is treated it is discharged back to the SAR where it blends with other water sources including Chino Creek, Mill Creek, Temescal Creek and untreated Santa Ana River Water within the Prado Basin. The blended flows pass through Prado Dam and are captured downstream by OCWD and percolated into recharge basins to replenish the Orange County Groundwater Basin.

Project Description- Presently, the PCW are not in operation. The proposed project would temporarily impact approximately 96 acres of wetland waters of the U.S. in order to restore approximately 450 acres of Wetland Waters of the U.S. located within the Prado Basin. The long-term operation of the PCW will require ongoing routine maintenance activities to maintain the function of the PCW for wildlife habitat, environmental enhancement, and water treatment. In addition, the diversion berm, conveyance channels, and levees are subject to periodic failure due to natural erosion and high flow events in the Santa Ana River. After these failures the structures must be repaired or reestablished to maintain flow into and throughout the wetlands. Ongoing routine maintenance activities would occur within the wetland ponds, diversion berm, diversion and conveyance channels, access roads, and water conveyance systems. The maintenance activities to be conducted under this RGP are described in detail below:

Wetland Ponds Maintenance Activities

Maintenance activities within the wetland ponds would include the annual removal of approximately 40,000 cubic yards of sediment from Wetland Ponds E-1, E-2, E-3 and E-4, and 10,000 cubic yards of sediment and debris from Wetland Pond E-6 (see Figure 2 for location). The material would be removed by heavy equipment and trucks. The excavated material (as needed) would be deposited on adjacent levees and access roads, and/or stockpiled at onsite upland areas for future use

Maintenance activities within the wetland ponds would include: sediment removal, emergent vegetation removal, mowing of the levee slopes, and minor erosion repair to the pond slopes and levees. Once per year between September and March, one-third of the wetland ponds would be drained to allow for sediment removal, emergent vegetation removal, and mowing of pond slopes. The remaining two-thirds of the wetland ponds will be operational during this time. Sediment would be removed using earth movers, bulldozers, front-end loaders or similar heavy equipment. Excavated material may be held onsite, away from sensitive habitat, and used to rebuild pond levees and access roads when needed. Vegetation will be removed from the wetland ponds using hand tools, mechanical vegetation cutters, and, if necessary, heavy equipment. Minor repairs to the wetland pond slopes and levees would be conducted on an as-needed basis and restricted to the time period of September through March. Total annual impacts to wetland ponds due to maintenance activities would include up to 110 acres annually.

Diversions Berm Maintenance Activities

Maintenance activities for the diversion berm would include:

- Annual excavation of approximately 30,000 cubic yards of sediment from the Santa Ana River Reach of the diversion channel (see Figure 2 for location). The excavated material would be used to rebuild the diversion berm to reestablish flow into the wetland ponds.
- Annual excavation of approximately 20,000 cubic yards of sediment from the 60/40 Reach of the diversion channel (see Figure 2 for location). The excavated material would be deposited along the existing levees on each side of the channel. Additionally, buried structures would be uncovered, and damaged staff gauge and flow monitoring equipment would be replaced.
- Annual excavation of approximately 10,000 cubic yards of sediment from the Mid Channel Reach of the diversion channel (see Figure 2 for location). The excavated material would be used to rebuild levees along both sides of the channel. Additionally, the existing channel

crossing at the Western Riverside Wastewater Treatment Plant discharge channel would be rebuilt.

Maintenance activities for the diversion berm would include ongoing minor erosion repairs to the existing berm, or reconstruction of the berm in order to maintain conveyance of water from the Santa Ana River into the wetland ponds. Minor erosion repairs would be conducted on an as-needed basis using heavy equipment. Reconstruction of the diversion berm would be accomplished by using a tracked piece of heavy equipment, such as a bulldozer, to push and mound sediment from the Santa Ana River bottom to rebuild the berm. Reconstruction of the diversion berm would occur as many as six times per year. Minor repairs and/or reconstruction of the diversion berm would be restricted to the time period of September through March. The materials used to repair and/or reconstruct the diversion berm will be obtained from the Santa Ana River at the diversion berm site only; the use of imported materials is not authorized. Total annual impacts to the diversion berm and Santa Ana River due to maintenance activities would include up to 9,000 square feet annually.

Diversion and Conveyance Channels Maintenance Activities

Maintenance Activities for the diversion and conveyance channels would include the annual removal of approximately 10,000 cubic yards of sediment from the Cattail Channel at the convergence of the Southern Conveyance Channel near Wetland Pond E-6, and along the Southern Conveyance Channel near Wetland Pond S-1 (see Figure 2 for location). Maintenance activities within the diversion and conveyance channels would include: sediment removal, emergent vegetation removal, mowing of levees and slopes, minor erosion repair, clearing trash and debris, and removing fallen trees.

An average of 15,000 cubic feet of sediment is excavated from the channels once per year during the period of September through March using earth movers, bulldozers, front-end loaders or similar heavy equipment. The excavated sediment is used to rebuild the diversion and conveyance channel levees. Vegetation is removed from the channels once per year during the period of September through March using hand tools, mechanical vegetation cutters, and, if necessary, heavy equipment. Minor erosion repairs would occur on an as-needed basis during the period of September through March using heavy equipment. Sediment removal, vegetation removal, and minor erosion repairs would impact up to 10 acres annually. Clearing of trash and debris and removal of fallen trees would occur on an as-needed basis using hand tools.

Access Roads Maintenance Activities

Networks of 30 miles of access roads are located on the PCW. The access roads are 16-foot wide roads that are located along the perimeter of the site and along the tops of the sand levees. Maintenance activities for the access roads would include: sediment removal from the Santa Ana River Channel, removal of nonnative vegetation, minor erosion repairs, trimming of tree branches and limbs, and removal of fallen trees. An average of 10,000 cubic feet of sediment is excavated from the Santa Ana River annually to rebuild access roads. Reconstruction of access roads is conducted on an as-needed basis using heavy equipment and is restricted to the period of September through March. Nonnative vegetation removal is conducted year-round using hand tools, mechanical vegetation cutters, and herbicide. Minor erosion repairs would occur on an as-needed basis during the period of September through March using heavy equipment. Access road reconstruction, removal of nonnative vegetation and minor erosion repairs would impact up to 10 acres annually. Trimming of tree branches and limbs and removal of fallen trees would be conducted using hand tools and occur on an as-needed basis.

Water Conveyance Structures Maintenance Activities

A network of water conveyance structures consisting of culverts and weirs convey water through the PCW. Maintenance of water conveyance structures includes: removal of emergent vegetation around inlets and outlets, removal of vegetation from the upper half of conveyance structures, repairs, and clearing trash. Vegetation removal is conducted on an as-needed basis using hand tools and mechanical vegetation cutters and is restricted to the period of September through March. Repairs to or replacement of conveyance structures would be conducted on an as-needed basis. Trash clearing would be conducted using hand tools and occur year-round on an as-needed basis. Maintenance activities associated with conveyance structures would impact up to 10,000 square feet annually.

Pheasant Field Levees Maintenance Activities

The Pheasant Field levees run along the south side of the Santa Ana River just downstream of the River Road Bridge. The levees total approximately 4,080 feet in length and vary in width from 30 to 60 feet. Periodically, high flows in the Santa Ana River cause the river to alter its course and breach levees near the Upper Pheasant Field and Lower Pheasant Field. The annual average amount of sediment and debris deposited in the river due to breaches in the levee system is estimated to be approximately 40,000 cubic yards with an average depth of five feet. The Permittee proposes to remove the sediment from the Santa Ana River and use it to rebuild the damaged levees. Reconstruction of the levees would be accomplished by using a tracked piece of heavy equipment, such as a bulldozer, to push and mound sediment from the Santa Ana River bottom to rebuild the levees. The materials used to repair and/or reconstruct the diversion berm will be obtained from the Santa Ana River at the levee site only; the use of imported materials is not authorized.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources, the Permittee shall implement each measure listed below.

Biological Monitor: A qualified biologist shall be onsite to monitor all activities that result in the clearing of sensitive habitat as well as grading, excavation, and/or other ground-disturbing activities in jurisdictional areas. The Permittee shall flag the limits of the access roads and maintenance areas, perform necessary surveys, and take photographs during the construction process.. The biological monitor is required to halt construction activities if threatened or endangered species are identified and notify the Corps and USFWS immediately.

Work in Wetted Areas: The Permittee shall avoid working in the wetted portion of any stream channel, lake, or wetland during the period of February 1 through September 30 to avoid impacts to native amphibian and fish species that may be actively reproducing or rearing. If work is performed in the wetted portion of a stream, lake, or wetland from October 1 through January 30, water shall be diverted around the worksite, where possible. If temporary water diversion is not possible while working in the Santa Ana River or diversion and conveyance channels, the Permittee shall have a qualified biologist install block nets upstream and downstream of all work areas. Work areas shall then be surveyed by a qualified biologist to determine if sensitive aquatic species are present. In the event that sensitive aquatic species are discovered, the Permittee shall notify the Corps and USFWS immediately.. Non-sensitive aquatic species found within the work area may be relocated to a location containing suitable habitat outside of the work area that will not be impacted by other project activities.

Native Fish: All sediment removal and/or movement activities shall not be conducted between March 1 and July 31 when Santa Ana Sucker may be spawning. A biological monitor

knowledgeable of the biology of southern California native fish, including Santa Ana sucker and arroyo chub, shall be onsite at all times during the repair and/or reconstruction of the diversion berm, diversion and conveyance channels, and all levees. The monitor shall perform presence/absence surveys for native fish and submit survey results to the Corps and USFWS for review prior to commencing project activities. If no native fish were observed and approval was received from USFWS, project activities may begin. If native fish are observed within the project area, the Permittee shall notify the Corps and USFWS.. The Permittee shall not perform any native fish relocation or rescue operations without first consulting with and obtaining approval from USFWS.

Removal of Vegetation: The Permittee shall utilize hand tools to the maximum extent practicable when conducting vegetation removal during project activities. The Permittee shall use mechanical vegetation cutters and shredders, heavy equipment, and/or herbicides only when necessary to remove large areas of nonnative vegetation or types of nonnative vegetation that are not responsive to hand removal. Any herbicides utilized by the Permittee in jurisdictional areas shall be registered by the California Department of Pesticide Regulation for aquatic use in California.

Protection of Native Vegetation: The Permittee shall flag or otherwise identify native vegetation within habitat maintenance areas to the maximum extent practicable to avoid trimming and/or limb removal, or otherwise removing native vegetation when performing nonnative vegetation removal and/or other habitat maintenance activities.

Nesting Birds: The Permittee shall not perform project activities within vegetated areas from March 15 to September 15, to avoid impacts to nesting birds. If project activities cannot be avoided in vegetated areas during the period of March 15 through September 15, the Permittee shall have a qualified biologist survey all potential nesting vegetation within the project site for nesting birds, prior to commencing project activities. Surveys shall be conducted once a day for five days at the appropriate time of day during the breeding season and surveys shall end no more than three days prior to vegetation removal and/or disturbance. Documentation of surveys and findings shall be submitted to USFWS for review and concurrence prior to conducting project activities. If no nesting birds were observed and concurrence was received from USFWS project activities may begin. If an active bird nest is located, the nest site shall be fenced a minimum of 200 feet (500 feet for Least Bell's vireo, Southwestern willow flycatcher, and/or raptors) in all directions, and this area shall not be disturbed until after September 15 and until the nest becomes inactive. If threatened or endangered species are observed in the area, no work shall occur during the breeding season (March 15 through September 15) to avoid direct or indirect (noise) take of listed species.

Nonnative Plant Species: The Permittee will use native plants to the greatest extent feasible in the landscaped areas adjacent to and/or near open space areas and within or adjacent to stream channels. The Permittee shall not plant, seed, or otherwise introduce invasive nonnative plant species to the landscaped areas adjacent to and/or near open space areas and within or adjacent to stream channels (minimum 100 foot setback from open space areas and 150 foot setback from stream channels and wetland/riparian mitigation sites). Invasive nonnative plant species not to be used include those species listed on the "California Invasive Plant Inventory, February 2006" and the "February 2007 Inventory Update", (which are updates to Lists A & B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999"). This list includes: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, bush

lupine, sweet alyssum, English ivy, French broom, Scotch broom, Spanish broom, and pepperweed. A copy of the complete list can be obtained by contacting the California Invasive Plant Council by phone at (510) 843-3902, at their website at www.cal-ipc.org, or by email at info@cal-ipc.org.

Lighting Impacts: No lighting shall be allowed to impact jurisdictional areas, and the lighting and fencing for infrastructure adjacent to jurisdictional areas shall be designed or reviewed by a qualified biologist to allow wildlife to move within the open space and conserved areas without hindrance.

Best Management Practices: The Permittee shall actively implement best management practices (BMPs) to prevent erosion and the discharge of sediment to streams and lakes during project activities. BMPs shall be monitored daily and repaired if necessary to ensure maximum erosion and sediment control.

Pollution and Litter: The Permittee shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws and it shall be the responsibility of the Permittee to ensure compliance. A Spill Prevention and Contingency Plan shall be prepared prior to the operation of heavy equipment.

Water Quality: The Permittee shall comply with the following water quality measures:

- The Permittee shall not allow water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities to enter a lake, streambed, or flowing stream or be placed in locations that may be subjected to high storm flows.
- Spoil sites shall not be located within a lake, streambed, or flowing stream or locations that may be subjected to high storm flows, where spoil shall be washed back into a lake, streambed, or flowing stream where it will impact streambed habitat and aquatic or riparian vegetation.
- Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from project related activities shall be prevented from contaminating the soil and/or entering the waters of the State. These materials, placed within or where they may enter a lake, streambed, or flowing stream by the Permittee or any party working under contract or with the permission of the Permittee, shall be removed immediately.
- No broken concrete, cement, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or washings thereof, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any lake, streambed, or flowing stream.
- No equipment maintenance shall be done within or near any lake, streambed,

or flowing stream where petroleum products or other pollutants from the equipment may enter these areas under any flow.

Proposed Mitigation: The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is summarized below:

Habitat Enhancement/Restoration: The Permittee shall enhance and restore no less than 10 acres, equivalent to 2 acres per year for 5 years, of native riparian habitat at locations within the PCW as approved by the Corps. Enhancement/restoration activities shall include the removal of all nonnative plant species, trash, and debris, and the installation of site appropriate native plant species. All plant species installed within the enhancement/restoration sites shall include only local California native container plants, cuttings, and/or seed mix. The Corps recommends that plant material be installed between October 1 and April 30 to maximize the benefits of the winter rainy season.

Reporting Measures:

The Permittee shall meet each reporting requirement described below:

The Permittee shall submit a report to the Corps annually that describes the maintenance activities conducted within the PCW during the previous calendar year. Each report shall include: (a) a map identifying the locations where maintenance activities were conducted; (b) a summary of the annual maintenance activities conducted for each maintenance facility, including: location, type of activity, time of year activities were conducted, duration of activities, methods/equipment used to conduct activities, quantity of sediment removed, quantity and type of vegetation removed, and total area of impact for each location; (c) a list of avoidance and minimization measures implemented during maintenance activities to protect fish and wildlife resources; and (d) before and after photographs of the maintenance areas. . The first report summarizing annual maintenance activities is due to the Corps June 1, 2013 and June 1 each year then after for the term of the RGP.

Annual Reporting of Enhancement/Restoration Areas: The Permittee shall submit a report to the Corps for the term of this RGP for the riparian habitat enhancement/restoration areas. This report shall include: (1) a list of all enhancement/restoration areas within the PCW and a map that shows the location of each area; (2) a description of the habitat enhancement/restoration activities performed within each area during the previous calendar year, including: (a) site preparation, including the removal of nonnative plants, trash, and debris, (b) plant installation, including the types and quantity by species of plants installed, and an overview of the planting effort, (c) the number by species of plants replaced or naturally recruited, and (d) when the activities were conducted; (3) current site conditions, including: (a) the percent survival, percent cover, and height of both tree and shrub species planted, and (b) the methods used to access these parameters; and (4) information regarding nonnative plant and animal species removal, including: (a) the methods used for removal, (b) the amount removed and/or treated, (c) the frequency and timing of removal/treatment, (d) disposal specifics, and (e) a summary of the general successes and failures or overall failure of the nonnative removal plan. The report shall also include all fish and wildlife species observed at the enhancement/restoration areas during monitoring surveys and/or incidental sightings. Photos from designated photo stations shall be included to document the progress of each enhancement/restoration area over time. Annual reports shall be submitted to the Corps each year.

The first report summarizing annual enhancement and restoration activities is due to the Corps June 1, 2013 and June 1 each year then after for the term of the RGP.

Renewal of Regional General Permit: The Permittee shall submit a status report to the Corps that documents the existing conditions in the project area at least four months prior to the expiration date of the RGP. The status report is due no later than April 27, 2018 and shall include all of the following information: (1) a copy of the original RGP; (2) a status of the project activities covered by the RGP; (3) an evaluation of the success or failure of measures in the RGP to protect fish and wildlife resources that the project activities may substantially adversely affect; and (4) a discussion of any factors that could increase the predicted adverse impacts on fish and wildlife resources, and a description of the resources that may be adversely affected. In addition, the status report shall include photo documentation of the habitat areas before and after work was performed. If the Corps determines that there are no changes in the project area that warrant further in-depth analysis, the RGP would be issued for another 5-year period with minimal environmental review. If the Corps determines that the measures in the RGP no longer protect the fish and wildlife resources that are being substantially adversely impacted by the project activities, the Corps, in consultation with the Permittee, and within 45 days of receipt of the status report, shall impose additional measures to protect the fish and wildlife resources affected by the project activities. The RGP could still be reissued with the additional measures; however the Corps may require a more substantive environmental review that considers the additional measures and their effect on fish and wildlife resources.

Proposed Special Conditions

No additional conditions at this time..

For additional information please call Crystel Doyle of my staff at 951-276-6624 x260 or via e-mail at Crystel.L.Doyle@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.

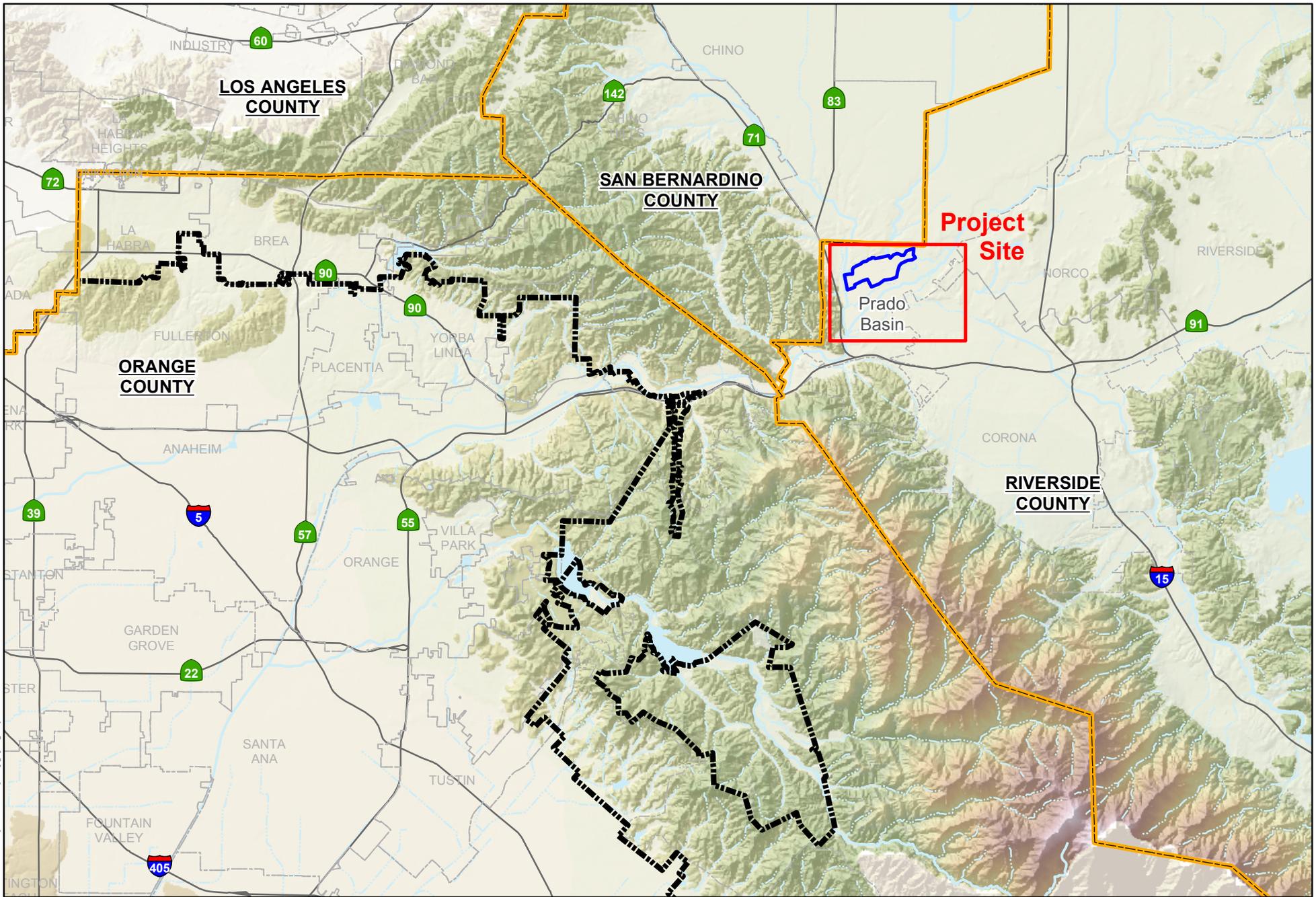


Regulatory Program Goals:

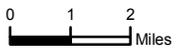
- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

U.S. ARMY CORPS OF ENGINEERS – LOS ANGELES DISTRICT

WWW.SPL.USACE.ARMY.MIL



K:\Prado\Submittal\Map\Plan\Map\CO\Figures\B1_Regional_Vicinity.mxd



Proposed Project Area

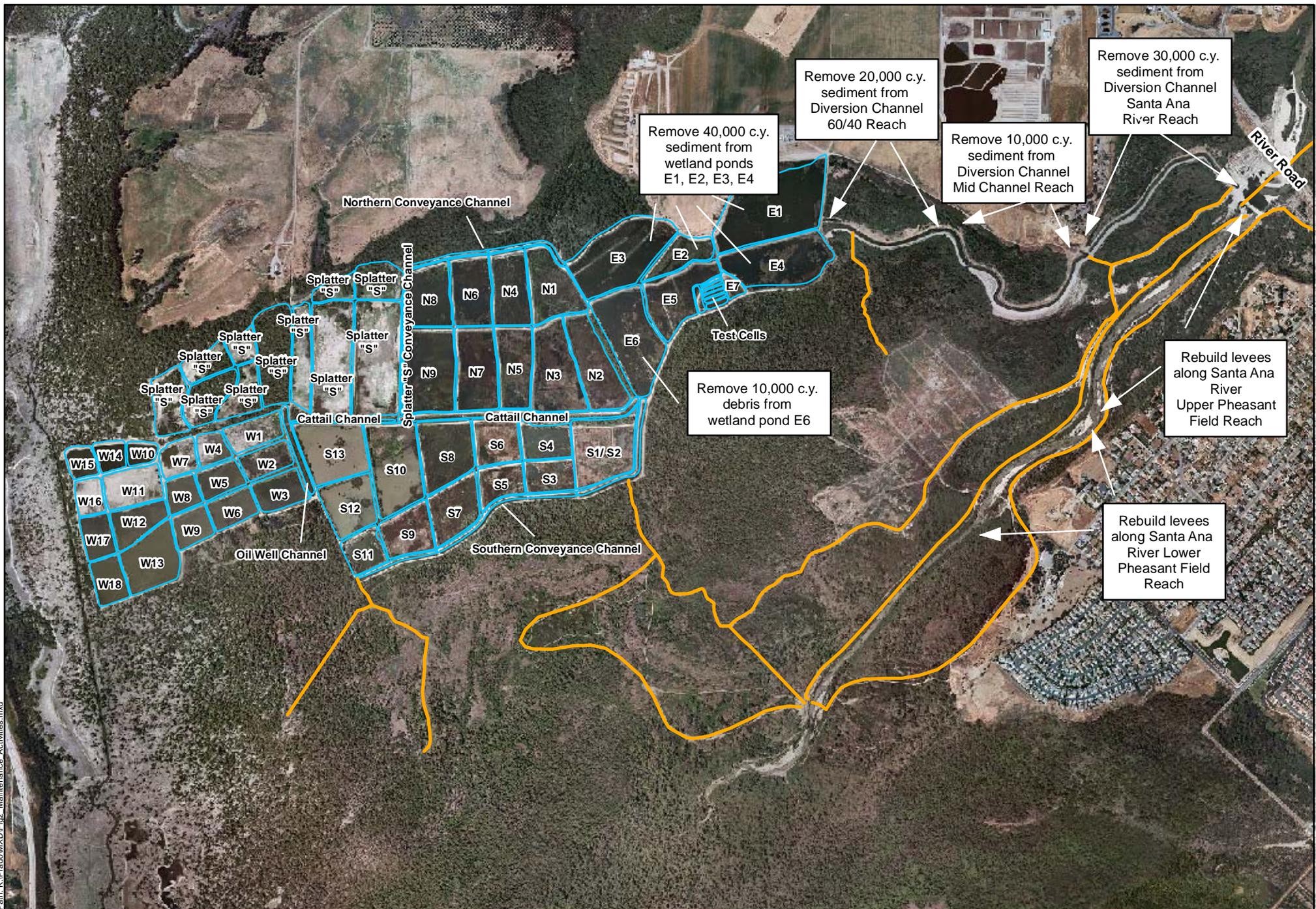


Prado Wetlands

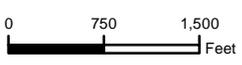
**Prado Constructed Wetlands Reconstruction Project
Regional Vicinity Map**

Reproduced with permission granted by
THOMAS BROS. MAPS, ©
©Thomas Bros. Maps. All rights reserved.

Figure 1



Path: K:\Prado\MXD\Fig2_Maintenance_Activities.mxd



— Maintained Access Roads □ Prado Wetlands

**Prado Constructed Wetlands
Proposed Maintenance Activities**

Reproduced with permission granted by THOMAS BROS. MAPS. © Thomas Bros. Maps. All rights reserved. Aerial Photo Eagle Aerial Photography Spring 2009

Figure 2