



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT CORPS OF ENGINEERS
VENTURA FIELD OFFICE
2151 ALESSANDRO DRIVE, SUITE 110
VENTURA, CALIFORNIA 93001

August 10, 2012

Regulatory Division

Department of Transportation
Attn: Skylar Feltman
District 7, 100 S. Main Street, MS 16-A
Los Angeles, California 90012

DEPARTMENT OF THE ARMY NATIONWIDE PERMIT VERIFICATION

Dear Mr. Feltman:

This is in reply to your application dated April 24, 2012, for a Department of the Army permit to discharge fill onto waters of the U.S., in association with the VEN 33 Cuyama River Slope Repair Project at Post Mile 56.2 (File No. SPL-2012-00295-TS). The proposed work would take place near the Ventura/Santa Barbara County boundary in northern Ventura County, California.

Your proposed project would result in a discharge of dredged and/or fill material into waters of the United States.

I have determined construction of Caltrans VEN 33 Cuyama River Slope Repair Project at PM 56.2 complies with Nationwide Permit (NWP) No. 13 (*Bank Stabilization*) pursuant to section 404 of the Clean Water Act (33 U.S.C. 1344; 33 C.F.R. parts 323 and 330), provided the project is conducted as described in your application.

Specifically, you are authorized to conduct the following regulated activities:

1. Repair the storm damaged slope over a linear distance of approximately 125 feet, at a 1V:1.5H slope and stabilize the slope with ungrouted rock slope protection material.
2. Discharge approximately 300 cubic yards (cy) of 1-ton ungrouted rock over the 125-foot-long project length. Rock would be keyed into the riverbed approximately five feet. This would result in an approximately 0.037 acre permanent loss of non-wetland waters of the U.S.
3. Temporarily disturb approximately 0.086 acres of non-wetland waters of the U.S. to complete the project.
4. Revegetate a 0.123 acre area of waters of the U.S. following completion of the project with plant material similar to adjacent undisturbed areas.

For this NWP 13 (*Bank Stabilization*) verification letter to be valid, you must comply with all of the terms and conditions in Enclosure 1. Furthermore, you must comply with the following non-discretionary Special Conditions listed below:

1. Prior to initiating construction in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a complete set of construction plans showing plan view, and typical cross section for the structure placed in waters of the U.S. All plans shall be signed, dated, and submitted on paper no larger than 11x 17 inches. No work in waters of the U.S. is authorized until the Permittee submits the aforementioned plans. The Permittee shall ensure that the project is built in accordance with the Corps-approved plans.
2. The Permittee shall notify the Corps of the construction start date at least five days in advance of work in waters of the U.S. Notification by mail, telephone, electronic mail or facsimile is acceptable.
3. The Permittee shall clearly mark the limits of the workspace with flagging or similar means to ensure mechanized equipment does not enter preserved waters of the U.S. and riparian wetland/habitat areas. Adverse impacts to waters of the U.S. beyond the Corps-approved construction footprint are not authorized. Such impacts could result in permit suspension and revocation, administrative, civil or criminal penalties, and/or substantial, additional, compensatory mitigation requirements.
4. Within 45 calendar days of completion of authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a post-project implementation memo indicating the date authorized impacts to waters of the U.S. ceased including photos of the completed project and the status of revegetation activities.
5. The Permittee shall provide a report on the status of the revegetated areas annually for a period of five years. Each report shall include a measurement of percent cover of native species established and species diversity in the revegetated area, a measurement of weed invasion, a summary of efforts employed to control weeds, and photos of the revegetated area.
6. Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittee shall notify the Corps' Regulatory Division Staff (Theresa Stevens, Ph.D. at 805-585-2146) and Corps' Archeology Staff within 24 hours (Steve Dibble at 213-452-3849 or John Killeen at 213-452-3861). The Permittee shall immediately suspend all work in any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, pursuant to 36 C.F.R. section 800.13.

Your verification is valid through **March 18, 2017**. All NWPs will expire on March 18, 2017. It is incumbent upon you to remain informed of changes to the NWPs. A public notice of the change(s) will be issued when any of the NWPs are modified, reissued, or revoked. Furthermore, if you commence or are under contract to commence this activity before the date on which the relevant NWP is reissued, modified, or revoked, you will have twelve (12) months

from the date of the reissuance, modification, or revocation of the NWP to complete the activity under the present terms and conditions of the relevant NWP.

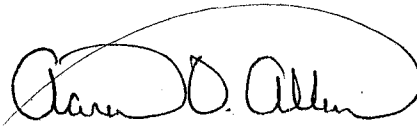
A NWP does not grant any property rights or exclusive privileges. Additionally, it does not authorize any injury to the property, rights of others, nor does it authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal, state, or local authorizations required by law.

Thank you for participating in our regulatory program. If you have any questions, please contact Theresa Stevens, Ph.D. at 805-585-2146 or via e-mail at theresa.stevens@usace.army.mil.

Please be advised that you can now comment on your experience with Regulatory Division by accessing the Corps web-based customer survey form at:
<http://per2.nwp.usace.army.mil/survey.html>.

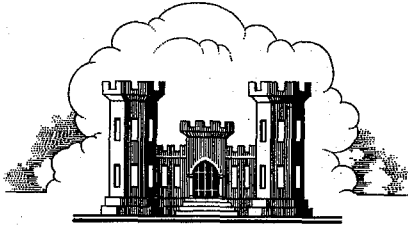
"Building Strong and Taking Care of People!"

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron O. Allen". The signature is fluid and cursive, with a large loop at the end.

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division

Enclosure(s) Nationwide Permit General Conditions



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

**CERTIFICATE OF COMPLIANCE WITH
DEPARTMENT OF THE ARMY NATIONWIDE PERMIT**

Permit Number: *SPL-2012-00295-TS*

Name of Permittee: *Department of Transportation, District 7*

Date of Issuance: *August 10, 2012*

Upon completion of the activity authorized by this permit and the mitigation required by this permit, sign this certificate, and return it to the following address:

U.S. Army Corps of Engineers
Los Angeles District, Ventura Field Office
Regulatory Division
ATTN: SPL-2012-00295-TS
2151 Alessandro Drive, Suite 110
Ventura, CA 93001

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this Nationwide Permit, you may be subject to permit suspension, modification, or revocation procedures as contained in 33 C.F.R. § 330.5 or enforcement procedures such as those contained in 33 C.F.R. §§ 326.4 and 326.5.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit condition(s).

Signature of Permittee

Date