



DEPARTMENT OF THE ARMY

Los Angeles District Corps of Engineers
P.O. Box 532711
Los Angeles, CA 90017-3401

August 8, 2013

REPLY TO
ATTENTION OF:

Regulatory Division

Scott Quinnell, Senior Environmental Planner
California Department of Transportation, District 8
464 West 4th Street Fl 6, MS-822
San Bernardino, California 92401-1400

Dear Mr. Quinnell:

This letter is in reply to your application (File No. SPL-2013-00547-VCC), dated August 1, 2013, for a Department of the Army Permit to discharge fill material into 0.42 acre of waters of the U.S., in association with the Emergency Scour Protection Project on the Interstate 10 at the Whitewater River Bridge. The proposed work would take place in Whitewater River near the City of Palm Springs, Riverside County, California.

Based on the information you have provided, the Corps of Engineers has determined that your proposed activity complies with the terms and conditions of Regional General Permit (RGP) No. 63.

As long as you comply with the general permit conditions of RGP No. 63, an individual permit is not required.

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

1. Discharge permanent fill material into approximately 0.42 acre of non-wetland waters of the U.S. (3,037 cubic yards) associated with the following activities:
 - a. Excavate around the seven I-10 westbound bridge piers and place rock with filter fabric around each pier approximately 5 feet high and 10 feet wide (totaling approximately 0.22 acre or 1,763 cubic yards of permanent fill within non-wetland waters of the U.S.); and
 - b. Install ungrouted rip rap with filter fabric within Span 2 and Span 5 on the I-10 eastbound bridge (totaling approximately 0.2 acre of permanent fill within non-wetland waters of the U.S.).

Furthermore, you must comply with the following non-discretionary Special Conditions:

1. No later than one month following completion of authorized work in waters of the U.S., the Permittee shall ensure all sites within waters of the U.S. subject to authorized, temporary impacts are restored to pre-project alignments, elevation contours, and conditions to the maximum extent practicable to ensure expeditious resumption of aquatic resource functions. No later than 45 calendar days following completion of authorized work in waters of the U.S., the Permittee shall submit a memorandum documenting compliance with this special condition.
2. No debris, soil, silt, sand, rubbish, cement or concrete washings thereof, oil or petroleum products or washings thereof, shall be allowed to enter into or placed where it may be washed by rainfall or runoff into the Whitewater River or other waterway. When project operations are completed, any and all excess construction materials, debris, and or other associated excess project materials shall be removed to an appropriate off-site location outside of any waters of the U.S. Proper best management practices and storm water controls shall be implemented. Temporary fills for diversion or dewatering of the construction site are not authorized by this verification/notice to proceed.
3. The work authorized by Regional General Permit (RGP) No. 63 must be underway no later than seven (7) calendar days from date of issuance of this letter of verification/notice to proceed. All work must be completed no later than September 20, 2013. If the Permittee is unable to complete the authorized work by this date, the Permittee must request, in writing, an extension from the Corps Regulatory Division prior to the deadline.
4. As directed in RGP No. 63, any work authorized by this RGP must be the minimum necessary to alleviate the immediate emergency, unless complete reconstruction does not result in significantly increased impacts to aquatic resources and logistical concerns indicate such reconstruction is as expedient considering the condition of the project site and is limited to in-kind replacement or refurbishment.
5. As directed in RGP No. 63, you shall provide a written report to this office (within 45 days of completing the project) after completion of any action conducted under this RGP. PROVIDING THIS REPORT IS MANDATORY. At a minimum the Report shall include the following:
 - A) The name, address, and telephone number of the Permittee and the Permittee's agent (if appropriate)
 - B) Full description of the activity including:

- i) description of the emergency and the potential for loss of life or property
 - ii) purpose of the activity
 - iii) final goal of the entire activity
 - iv) location (e.g., latitude/longitude in decimal degrees or UTM coordinates; section/township/range on appropriate USGS topographic map; Thomas Guide map, or other source to accurately portray project location);
 - v) date(s) work within waters of the U.S. was initiated and completed;
 - vi) size and description of project area (include maps or drawings showing the aerial and lineal extent of the project)
 - vii) quantities of materials used
- C) information on receiving waterbody impacted including:
- i) name of waterbody
 - ii) type of receiving waterbody (e.g., river/streambed, lake/reservoir, ocean/estuary/bay, riparian area, wetland type, etc.)
 - iii) temporary/permanent adverse impact(s) in acres/cubic yards/linear feet
 - iv) compensatory mitigation in acres/cubic yards/linear feet
 - v) other mitigation steps (to avoid, minimize, compensate)
 - vi) completed and signed preliminary jurisdictional determination (JD) or request for approved JD
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 and Archeology staff (Steve Dibble at 213-452-3849 or John Killeen at 213-452-3861) within 24 hours. The Permittee shall immediately suspend all work within 100 feet of 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, per 36 C.F.R. section 800.13.

A general permit does not grant any property rights or exclusive privileges. Also, it does not authorize any injury to the property or rights of others or 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 Veronica Chan at 213-452-3292 or via e-mail at Veronica.C.Chan@usace.army.mil.

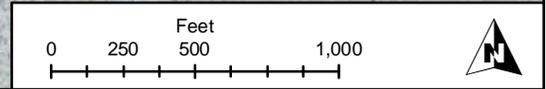
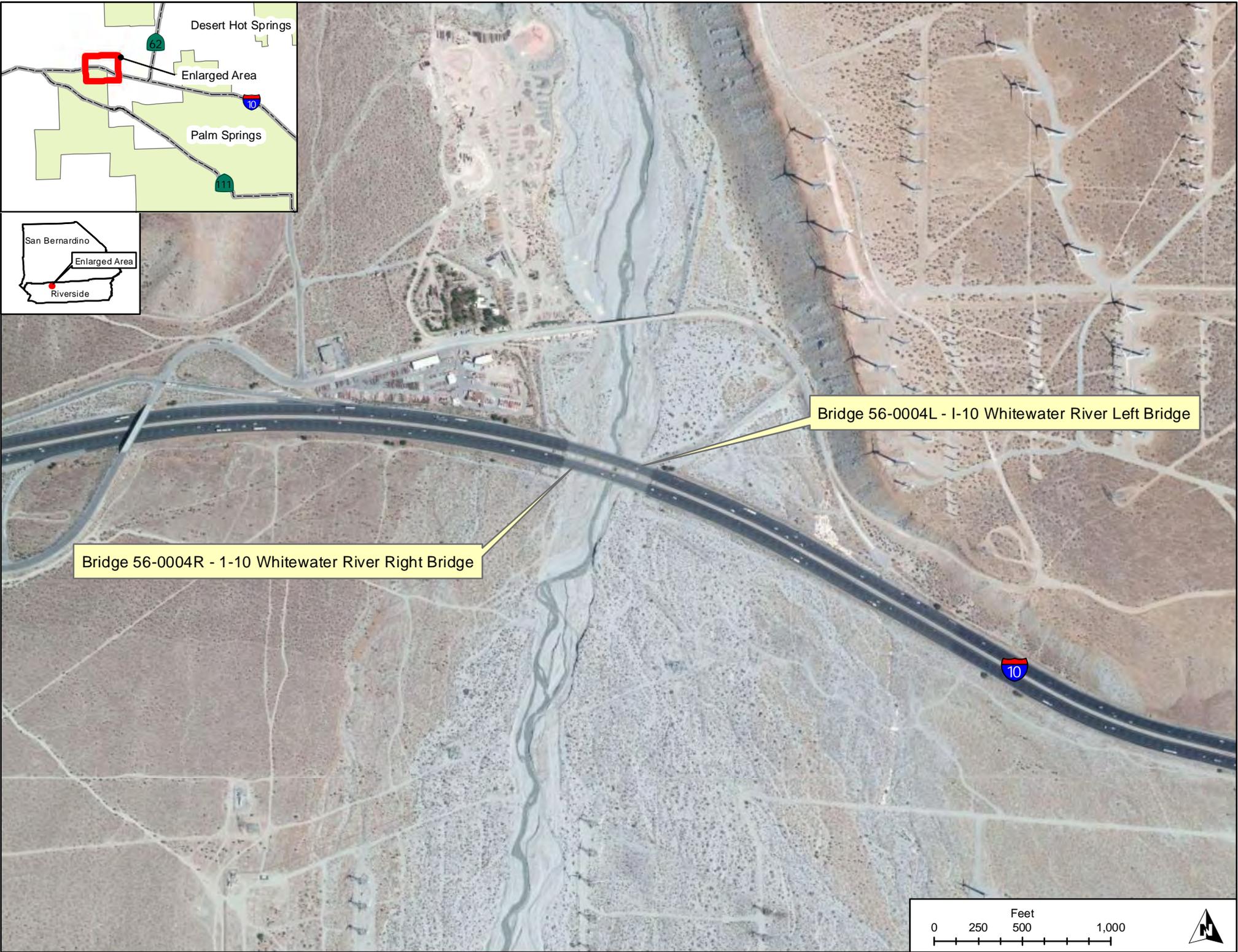
Please be advised that you can now comment on your experience with Regulatory Division by accessing the Corps web-based customer survey form at:
<http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Cohen". The signature is written in a cursive style with a prominent initial "M".

Mark D. Cohen
Deputy Chief, Regulatory Division

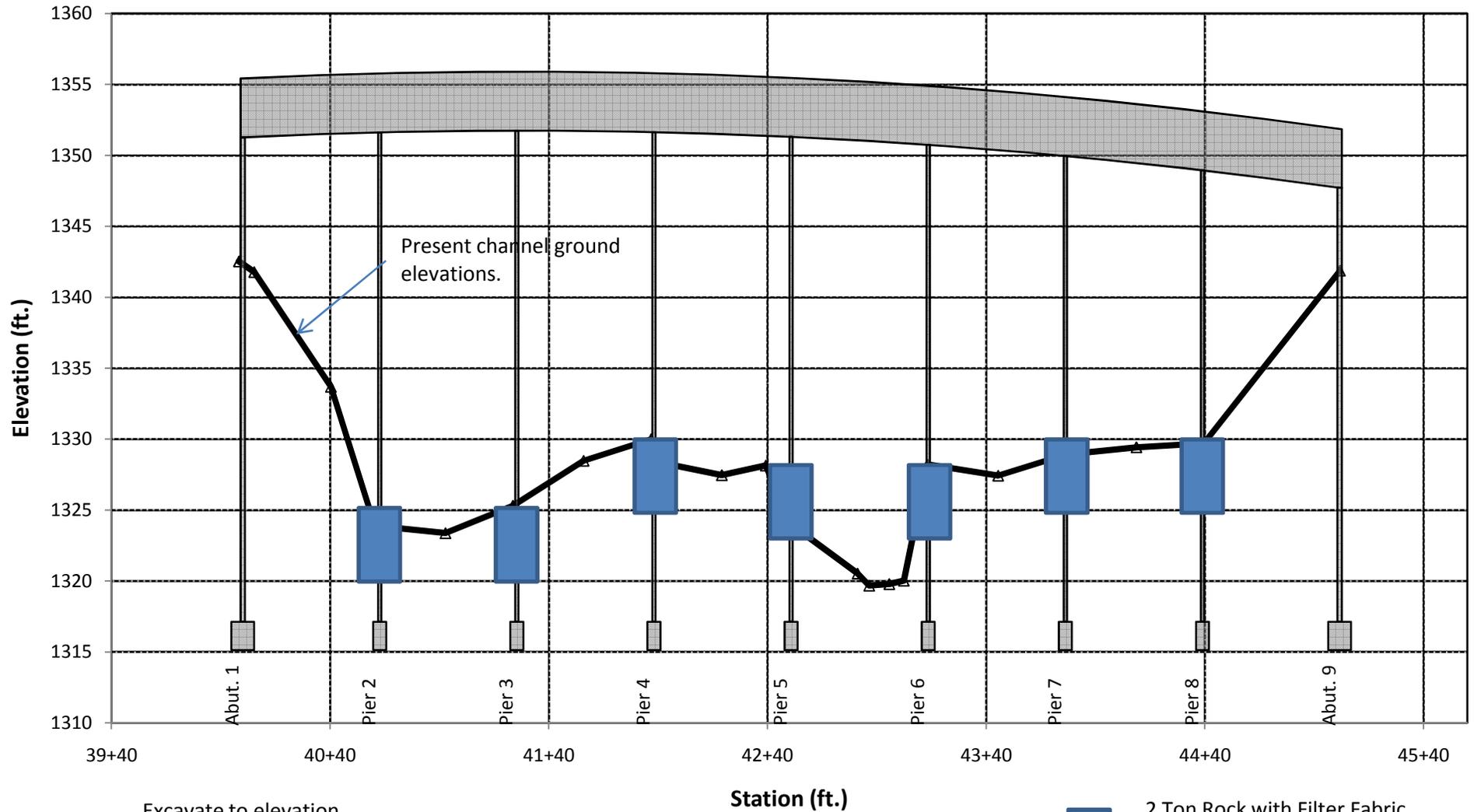
Enclosure



Bridge ID: 56-0004L

Whitewater River - Upstream

08-RIV-010-27.69



Excavate to elevation

Piers 2 and 3 = 1320
Piers 4, 7, and 8 = 1325
Piers 5 and 6 = 1323

—▲ "6/12/2013"

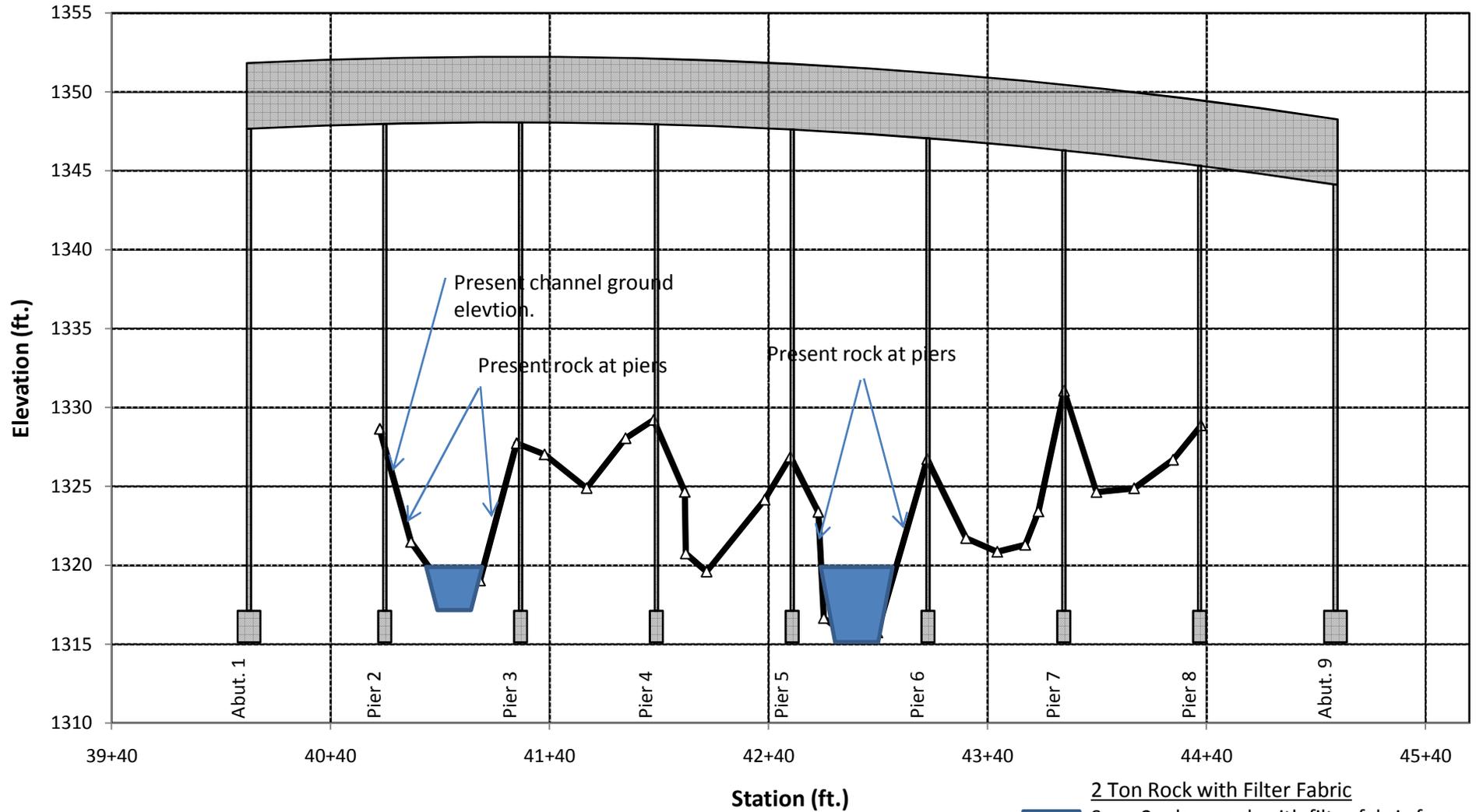
2 Ton Rock with Filter Fabric

5-ft high, 10-ft wide on each side of pier, all the way around the pier.

Bridge ID: 56-0004R

Whitewater River - Downstream

08-RIV-010-27.69



Place rock with filter fabric at present low flow elevation along entire length of pier to elevation 1320 under Spans 2 and 5. Rock should span entire width of span, from rock to rock.

—▲ "6/12/2013"

- 2 Ton Rock with Filter Fabric
- Span 2, place rock with filter fabric from elevation 1317 to 1320.
- Span 5, place rock with filter fabric from elevation 1315 to 1320.