



**DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
915 WILSHIRE BOULEVARD, SUITE 930
LOS ANGELES, CALIFORNIA 90017**

April 22, 2014

Vincent Gin
OC Public Works
300 N. Flower Street
Santa Ana, California 92703-5000

DEPARTMENT OF THE ARMY NATIONWIDE PERMIT VERIFICATION

Dear Mr. Gin:

I am responding to your request (SPL-2013-00728-JPL) for a Department of the Army permit for your proposed project, the Santa Ana River Reach 2 Sediment and Vegetation Removal Project. The proposed project is located within the Santa Ana River, near the City of Huntington Beach, Orange County, California.

Because this project would result in a discharge of dredged and/or fill material into waters of the United States a Department of the Army permit is required pursuant to Section 404 of the Clean Water Act (33 USC 1344; 33 CFR parts 323 and 330).

I have determined construction of your proposed project, if constructed as described in your application, would comply with Nationwide Permit (NWP) 33 Temporary Construction, Access, and Dewatering. Specifically, and as shown in the enclosed figure(s), you are authorized to:

1. Complete project-related activities associated with the removal of approximately 153,000 cubic yards of vegetation and sediment from an approximately 5600-linear foot concrete-lined segment of the Santa Ana River.
2. Construction activities associated with the excavation of sediment would result in temporary impacts of up to 31.34 acres of jurisdictional waters of the U.S.

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

1. 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 shown on the attached figure. 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.

2. This Corps permit does not authorize you to take any threatened or endangered species, or adversely modify its designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g. ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply).

This verification is valid through March 18, 2017. If on March 18, 2017 you have commenced or are under contract to commence the permitted activity you will have an additional twelve (12) months to complete the activity under the present NWP terms and conditions. However, if I discover noncompliance or unauthorized activities associated with the permitted activity I may request the use of discretionary authority in accordance with procedures in 33 CFR § 330.4(e) and 33 CFR § 330.5(c) or (d) to modify, suspend, or revoke this specific verification at an earlier date. Additionally, at the national level the Chief of Engineers, any time prior to March 18, 2017, may chose to modify, suspend, or revoke the nationwide use of a NWP after following procedures set forth in 33 CFR § 330.5. It is incumbent upon you to comply with all of the terms and conditions of this NWP verification and to remain informed of any change to the NWPs.

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.

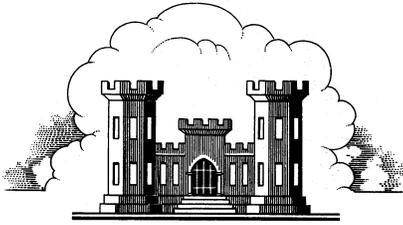
Thank you for participating in the regulatory program. If you have any questions, contact Jason Lambert at 213-452-3361 or via e-mail at Jason.P.Lambert@usace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,



Therese O. Bradford
Chief, South Coast Branch
Regulatory Division

Enclosures



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

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

Permit Number: SPL-2013-00728-JPL

Name of Permittee: OC Public Works

Date of Issuance: April 22, 2014

Upon completion of the activity authorized by this permit and the mitigation required by this permit, sign this certificate, and return it by **ONE** of the following methods;

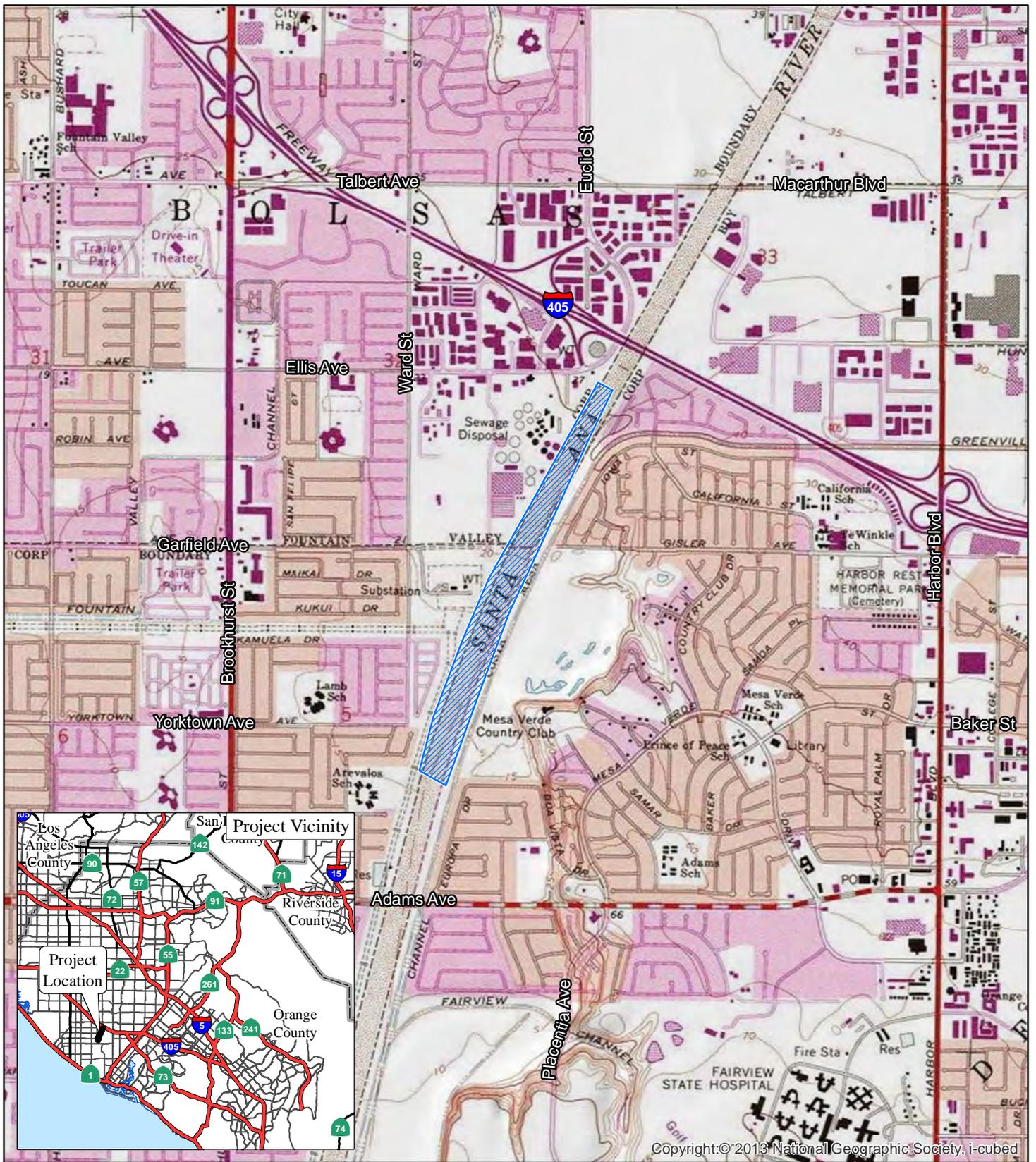
1) Email a digital scan of the signed certificate to Jason.P.Lambert@usace.army.mil
OR

2) Mail the signed certificate to
U.S. Army Corps of Engineers
ATTN: Regulatory Division SPL-2013-00728
Los Angeles District, Corps of Engineers
915 Wilshire Boulevard, Suite 930
Los Angeles, California 90017

I hereby certify that the authorized work and any required compensatory mitigation has been completed in accordance with the NWP authorization, including all general, regional, or activity-specific conditions. Furthermore, if credits from a mitigation bank or in-lieu fee program were used to satisfy compensatory mitigation requirements I have attached the documentation required by 33 CFR 332.3(1)(3) to confirm that the appropriate number and resource type of credits have been secured.

Signature of Permittee

Date



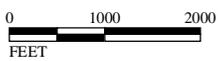
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LSA

LEGEND

 Project Area

FIGURE 1



SOURCE: USGS 7.5' Quad. (Newport Beach, 1981)
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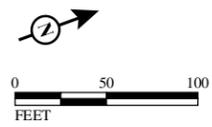
Santa Ana River Channel
 Sediment Removal
 Project Area Location



LSA

LEGEND

- Project Area
- Freshwater Marsh
- Herbaceous Riparian
- Black Willow Riparian Forest
- Ruderal
- Willow Riparian Scrub
- Flood Control Channels



SOURCE: Orange County Eagle Aerial (4/2012)
 F:\OCY1201E\GIS\PlantCommunities.mxd (8/26/2013)

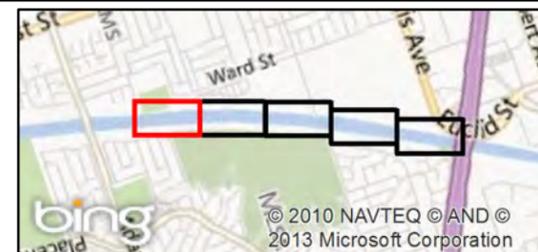
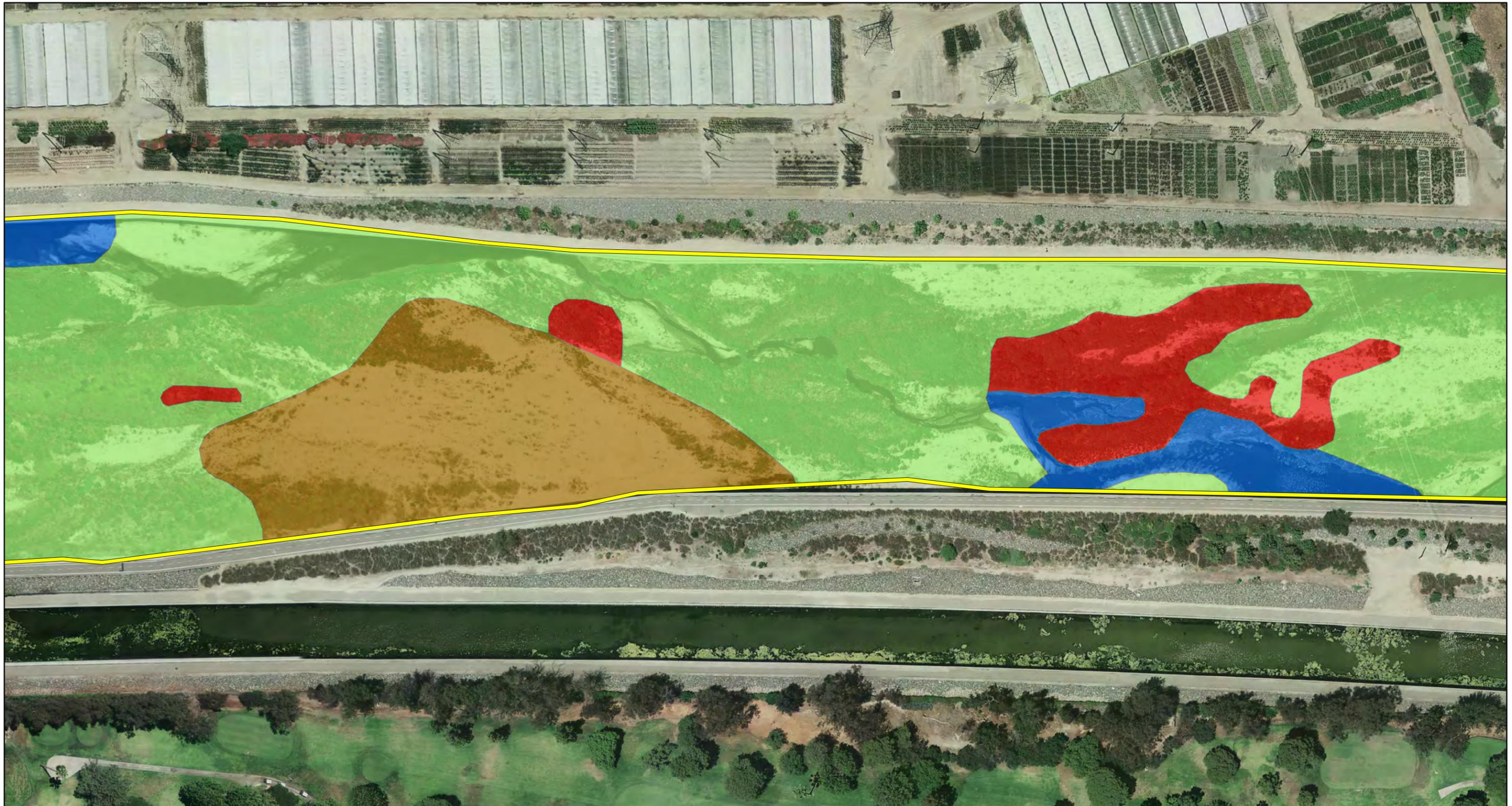


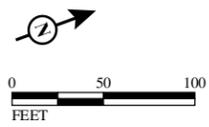
FIGURE 2
 Sheet 1 of 5



LSA

LEGEND

- | | |
|--|---|
|  Project Area |  Freshwater Marsh |
| Plant Communities | |
|  Black Willow Riparian Forest |  Herbaceous Riparian |
|  Flood Control Channels |  Ruderal |
| |  Willow Riparian Scrub |



SOURCE: Orange County Eagle Aerial (4/2012)
 F:\OCY1201E\GIS\PlantCommunities.mxd (8/26/2013)

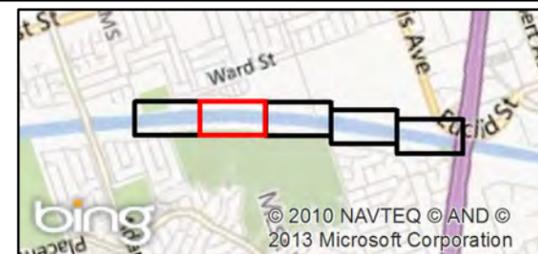
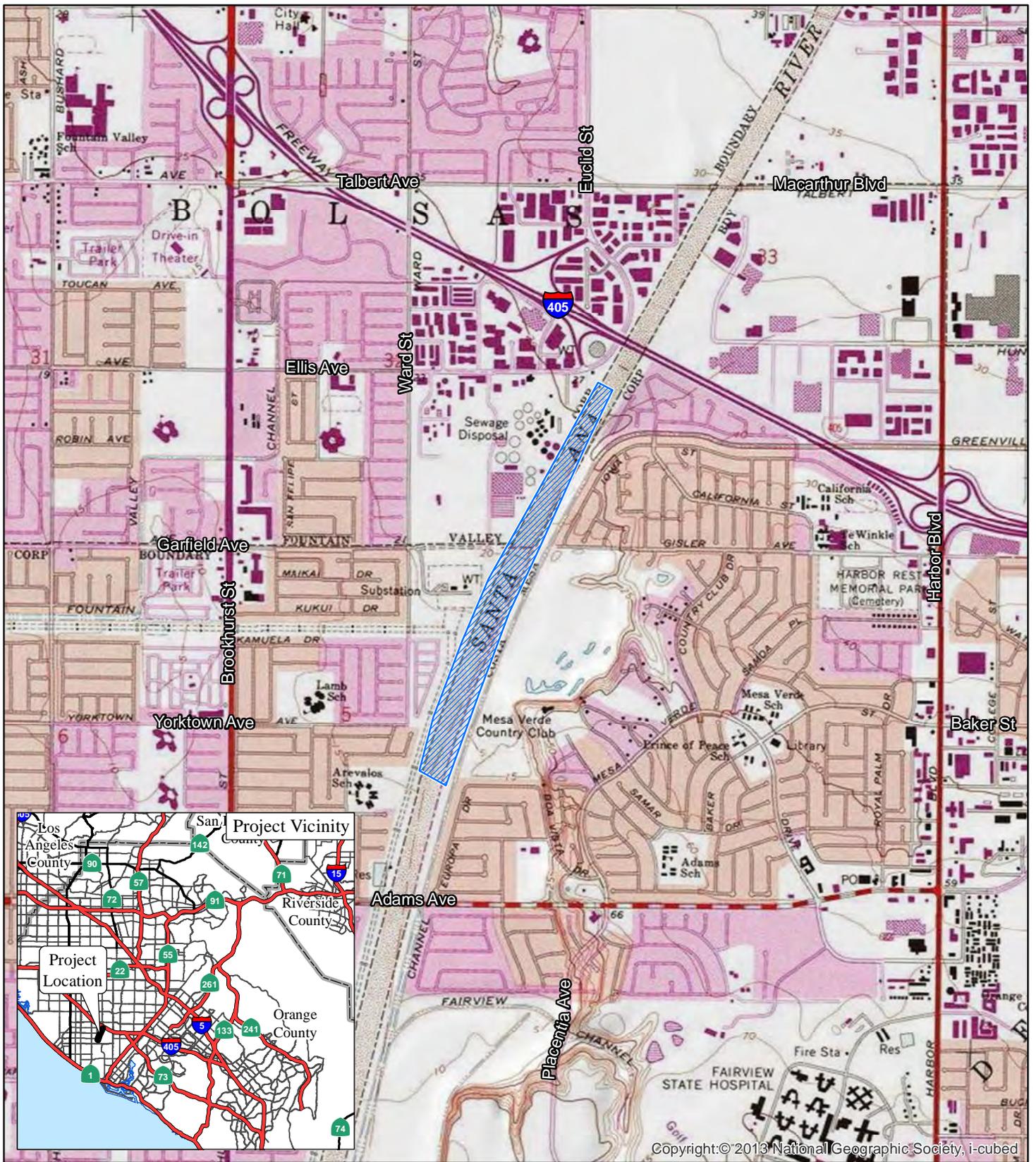


FIGURE 2
 Sheet 2 of 5



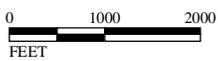
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LSA

LEGEND

 Project Area

FIGURE 1



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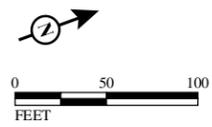
Santa Ana River Channel
 Sediment Removal
 Project Area Location



LSA

LEGEND

- | | |
|--|---|
|  Project Area |  Freshwater Marsh |
| Plant Communities |  Herbaceous Riparian |
|  Black Willow Riparian Forest |  Ruderal |
|  Flood Control Channels |  Willow Riparian Scrub |



SOURCE: Orange County Eagle Aerial (4/2012)
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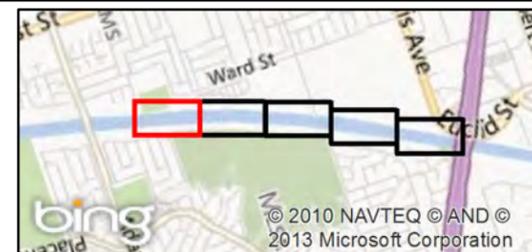
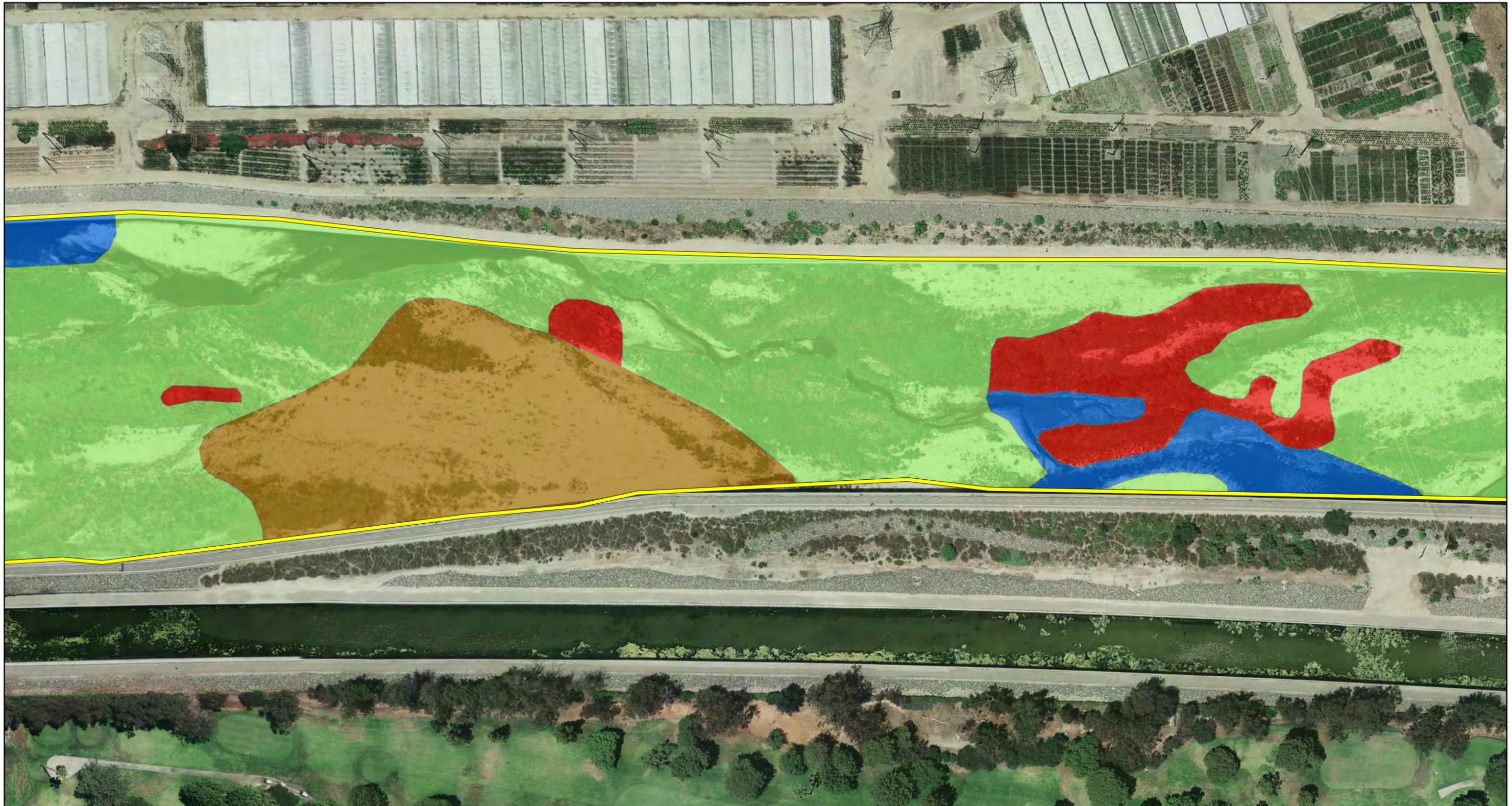


FIGURE 2
 Sheet 1 of 5

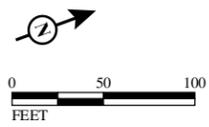
SAR Channel Sediment Removal
 Plant Communities



LSA

LEGEND

- | | |
|--|---|
|  Project Area |  Freshwater Marsh |
| Plant Communities | |
|  Black Willow Riparian Forest |  Herbaceous Riparian |
|  Flood Control Channels |  Ruderal |
| |  Willow Riparian Scrub |



SOURCE: Orange County Eagle Aerial (4/2012)
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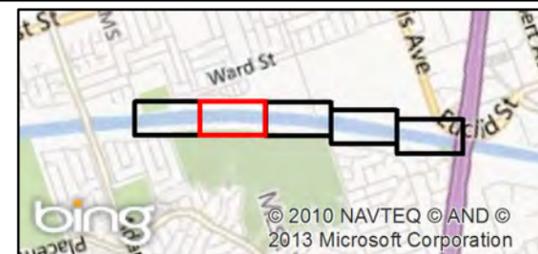


FIGURE 2
 Sheet 2 of 5

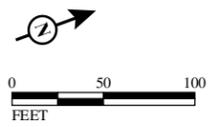
SAR Channel Sediment Removal
 Plant Communities



LSA

LEGEND

- Project Area
- Herbaceous Riparian
- Black Willow Riparian Forest
- Ruderal
- Flood Control Channels
- Willow Riparian Scrub
- Freshwater Marsh



SOURCE: Orange County Eagle Aerial (4/2012)
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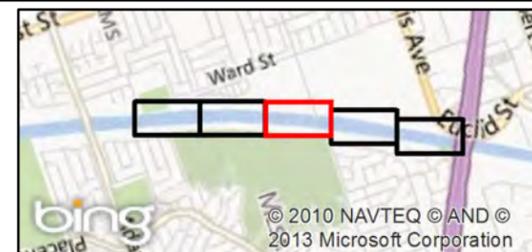


FIGURE 2
 Sheet 3 of 5



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LEGEND

Project Area

Plant Communities

Black Willow Riparian Forest

Flood Control Channels

Freshwater Marsh

Herbaceous Riparian

Ruderal

Willow Riparian Scrub



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FEET

SOURCE: Orange County Eagle Aerial (4/2012)

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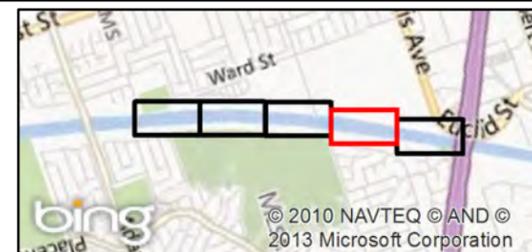


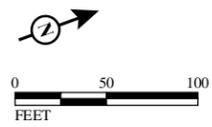
FIGURE 2
Sheet 4 of 5



LSA

LEGEND

- Project Area
- Freshwater Marsh
- Herbaceous Riparian
- Black Willow Riparian Forest
- Ruderal
- Willow Riparian Scrub
- Flood Control Channels



SOURCE: Orange County Eagle Aerial (4/2012)
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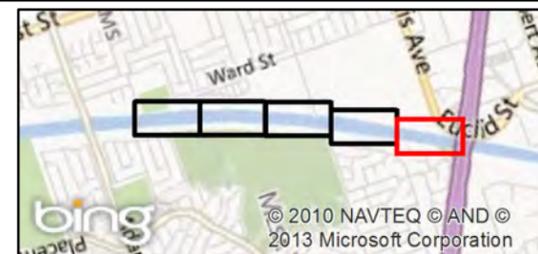


FIGURE 2
 Sheet 5 of 5