PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

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APPLICATION FOR PERMIT
Santa Clara River Watershed – Exotic Plant Removal

Public Notice/Application No.: SPL-2004-01540-GLH
Project: Santa Clara River Watershed – Exotic Plant Removal
Comment Period: December 15, 2016 through January 14, 2017
Project Manager: Gerardo Hidalgo; (805) 585-2145; Gerardo.L.Hidalgo@usace.army.mil

Applicant
Ventura County Resource Conservation District
P.O. Box 147
Somis, California 93066

Contact
Marty Melvin
(805) 764-5132

Location
In the upper Santa Clara River watershed in the vicinity of Santa Clarita and Acton, Los Angeles County, California (at: lat:34-26-25.0080 lon:118-15-46.0080)

Activity
The applicant proposes to temporarily impact waters of the United States for the removal of exotic plant species, including giant reed and tamarisk, throughout the upper Santa Clara River watershed (see attached drawings). For more information see page 3 of this notice.

Interested parties are hereby notified 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 today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that supports 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. Comments should be mailed to:

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Gerardo Hidalgo
2151 Alessandro Drive, Suite 110
Ventura, California 93001-3766

Alternatively, comments can be sent electronically to: Gerardo.L.Hidalgo@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 water 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 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 any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

Coastal Zone Management- For those projects in or affecting the coastal zone, the Federal Coastal Zone Management Act requires that prior to issuing the Corps authorization for the project, the applicant must obtain concurrence from the California Coastal Commission that the project is consistent with the State's Coastal Zone Management Plan. This project is located outside the coastal zone and preliminary review indicates that it will 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.

Essential Fish Habitat- No Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the project area and no EFH is affected by the proposed project.

Cultural Resources- The latest version of the National Register of Historic Places has been consulted and the proposed sites are not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

Endangered Species- The Corps has made a preliminary determination that the proposed long-term permit for discharges of fill material associated with the removal of exotic plant species in the upper Santa Clara River and its tributaries may temporarily affect federally-listed endangered or threatened species, and/or their designated critical habitat, including the unarmored threespine stickleback (*Gasterosteus aculeatus Williamson*), red-legged frog (*Rana aurora draytonii*), arroyo toad (*Bufo califonicus*), least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), and yellow-billed cuckoo (*Coccuzus americanus*). Therefore, formal consultation under Section 7 of the Endangered Species Act would be required for the proposed long-term removal of exotic plant species in the upper Santa Clara River watershed.

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. The basic project purpose for the proposed project is to restore the physical and biological functions in aquatic/riparian habitat in the upper Santa Clara River watershed, which is a water dependent activity.

Overall Project Purpose- The overall project purpose is determined by further defining the basic project purpose to describe the applicant's specific project, and serves as the basis for the Corps' 404(b)(1) alternatives analysis. The overall project purpose for the proposed project is to remove exotic plant species in waters of the United States in the upper Santa Clara River watershed.

Additional Project Information

Baseline information- The proposed project area has been separated into six reaches (Figure 1). Reach Six includes Bouquet Canyon downstream to the western project boundary (Ventura County line) and supports riparian assemblages such as cottonwood and willow woodland and dry willow scrub. Reach Six tributaries include Bouquet Canyon, Castaic Creek, Chiquito Canyon, San Francisquito Canyon, Hasley Canyon, and the South Fork. Arundo infestation in Reach Six is moderate to high, Tamarisk infestation is low to moderate and some peppergrass, date palm and tree heaven individuals have also been observed. Sensitive wildlife species in Reach Six could include coast horned lizard, coastal western whiptail lizard, southwestern pond turtle, two-striped garter snake, western spadefoot toad, arroyo chub, unarmored threespine stickleback, arroyo toad, yellow-breasted chat, yellow warbler, California horned lark, tricolor black bird, loggerhead shrike, least Bell's vireo and southwestern willow flycatcher. Sensitive plant species in Reach Six could include San Fernando Valley spineflower, Perison's morning glory, and Los Angeles sunflower. Reach Five includes Bouquet Canyon upstream to Sand Canyon and is characterized by great basin scrub with scattered mulefat scrub and riparian scrub habitat. Reach Five tributaries include Tick Canyon, Sand Canyon and Mint Canyon. Arundo occurs in low to moderate densities, Tamarisk is present in moderate to high densities and some tree tobacco, black locust and pepper tree individuals also occur. Sensitive wildlife species in Reach Five could include western spadefoot toad, coast horned lizard, western whiptail, arroyo chub, seasonal unarmored threespine stickleback habitat and coastal California gnatcatcher. Sensitive plant species in Reach Five could include slender-horned spineflower, and spreading navarretia. Reach Four includes Sand Canyon upstream to Spring Canyon and supports great basin scrub and scattered mulefat and willow woodland habitat. Arundo is present in this reach in low to moderate densities, Tamarisk is present in low densities and a variety of exotic tree species also occur in small numbers. Sensitive wildlife species in Reach Four could include two-stripped garter snake, coast horned lizard and seasonal unarmored threespine stickleback habitat. Reach Four sensitive plant species include the slender-horned spineflower. Reach Three includes Spring Canyon upstream to Acton and is characterized by riparian vegetation, including cottonwood, mixed willow and willow woodland, with scattered mulefat scrub and great basin scrub near Acton. Reach Three tributaries include Agua Dulce Canyon and Bear Canyon. Arundo is present in high densities in Reach Three, Tamarisk is present in low to moderate densities and a variety of ornamental exotic species, including domesticated pines and incense cedar, are also found in this reach. Sensitive wildlife species in Reach Three could include arroyo chub, coast horned lizard, yellow warbler, unarmored threespine stickleback, southwestern willow flycatcher and arroyo toad. Reach Three sensitive plant species include the slender-horned spineflower and Plummer's mariposa lily. Reach Two includes Acton upstream to the Angeles Forest Highway and is characterized by great basin sagebrush with some juniper. Reach Two tributaries include Jones Canyon, Kashmere Canyon, Acton Canyon, and Aliso Canyon. Although there are isolated areas with heavy infestations, relatively little Arundo and Tamarisk is present in Reach Two, but several ornamental species used in landscaping have been observed. Reach Two sensitive wildlife species include the coast horned lizard. Reach Two sensitive plant species include Mason's neststraw. Reach One includes the Angeles Forest Highway upstream to the watershed interfluve and is characterized by chaparral and desert species including juniper, scrub oak and rabbit brush. Reach One sensitive wildlife species include the coast horned lizard. Reach One sensitive plant species include short-joint beavertail cactus. No known infestations of Arundo or Tamarisk occur in this reach,

but future observations could identify limited infestations that would need to be removed to avoid downstream migration of exotic species.

Project description- The applicant proposes to temporarily impact waters of the United States to remove various exotic plant species throughout the upper Santa Clara River watershed in the vicinity of Santa Clarita and Acton, Los Angeles County (45-mile-long portion of the river). Exotic vegetation removal would take place in the 500-year floodplain of the Santa Clara River and its tributaries, which includes approximately 16,300 acres between Ventura County and the headwaters in the Angeles Forest. The Corps is proposing to issue a long-term authorization for all the proposed temporary discharges of fill material in waters of the United States associated with the removal of exotic plant species, but the applicant would be required to submit a notification package to the Corps prior to each specific project. As a condition of the proposed permit, the applicant would not be allowed to proceed with any discharges of fill material in waters of the United States associated with a specific vegetation removal project until they received written concurrence from the Corps that the proposed project was consistent with the terms and conditions of the long-term permit. As part of the proposed permit action, the Corps would develop standard specifications for the appropriate methods of removal based on the coverage and distribution of exotic plant species in the project area, physical and biological functions present in the given reach and the presence or absence of endangered or threatened species. In addition, as part of the proposed permit action, the Corps would develop a set of special conditions to ensure temporary impacts to waters of the United States are avoided and minimized to the maximum extent practicable.

To remove exotic plant species in the upper Santa Clara River and its tributaries, the applicant proposes to use a variety of methods including: hand removal (above-ground only and above/below-ground); mechanical removal (above-ground only and above/below-ground); tarping; foliar spray; cut and spray (paint/daub); cut, resprout and spray; controlled burning (with and without herbicide treatment); grazing; and biological controls. The applicant would select the specific method of removal for each site based on the following criteria: the time of year; severity of the infestation, the degree of intermixing of invasive species with native habitats, the presence of sensitive native plant and animal species, access, proximity to surface water and budget constraints. Three types of herbicides are proposed for use, either individually or in combination, including Glphosate, Imazapyr and Triclopyr. In addition, the above herbicides generally need to be applied with a surfactant, which includes any compound that is added to an herbicide formulation or tank mix to facilitate emulsifying, dispersing, spreading, wetting or other properties of a liquid by modifying its surface characteristics. During the proposed exotic removal activities, the applicant would only utilize surfactants approved by USEPA, including non-ionic surfactants, such as Agri-dex.

With the proposed methods of exotic vegetation removal, temporary discharges of fill material in waters of the United States would include construction of dirt access ramps, construction of access roads, substrate disturbance associated with mechanized removal, substrate disturbance associated with the removal of plant root mass, removal of access ramps/roads, revegetation with native species and restoration of stream channel morphology at the conclusion of vegetation removal activities. Because the applicant proposes to remove exotic vegetation throughout the 500-year floodplain of the Santa Clara River and its tributaries, the majority of the proposed activities would be located outside of waters of the United States. Prior to each exotic removal project, the applicant would be required to submit a notification package that would identify all the proposed temporary discharges in waters of the United States, estimated acreage of impact to waters of the United States, detailed information describing the severity of the infestation, degree of intermixing of native and non-native plant species and the presence of sensitive native plant and animal species. Potential avoidance and minimization measures would include avoiding the nesting season, implementation of standard best management practices, precluding certain vegetation removal methods in areas dominated by native habitat,

restoration of stream channel morphology at the conclusion of each project and revegetation with native species. As part of the proposed permit action, the Corps would initiate formal Section 7 consultation with the U.S. Fish and Wildlife Service to address possible impacts to threatened or endangered species, ensuring that the proposed long-term permit would be in full compliance with the Endangered Species Act. Because the proposed project would not result in any permanent impacts to waters of the United States and, through the removal of exotic plant species, would increase the physical and biological functions in the upper Santa Clara River watershed, the Corps is not proposing any compensatory mitigation at this time.

To comply with the 404(b)(1) Guidelines, the applicant is currently analyzing less damaging alternatives to the proposed temporary discharges of fill material in waters of the United States. Less damaging designs would include limiting the proposed types of exotic species removal to reduce temporary impacts to waters of the United States and the no federal action alternative (environmental baseline). In order to receive authorization pursuant to Section 404 of the Clean Water Act, the applicant will be required to demonstrate that the proposed project design is the least environmentally damaging practicable alternative.

Proposed Special Conditions

The following list is comprised of proposed Permit Special Conditions, which are required of similar types of projects:

1. The permittee shall retain a qualified on-site biologist(s) to review grading plans, supervise all grading, excavation, and other ground disturbing activities in waters of the United States associated with the exotic plant removal projects, oversee all aspects of construction monitoring that pertain to biological resource protection, ensure compliance with the mitigation measures, and implement and monitor the mitigation program. The name, address, phone number, and email address of the on-site biologist(s) shall be submitted to the Corps and the USFWS prior to initiation of project construction. The project biologist shall be empowered to halt construction and contact the Corps of Engineers and the USFWS if he/she believes that the terms and conditions of this authorization are being violated.

2. For exotic plant removal projects in areas that have not been previously surveyed for cultural resources, the permittee shall retain a qualified archeologist to supervise all grading, excavation, and other ground disturbing activities associated with work in and immediately adjacent to waters of the United States, and to ensure that all known or newly discovered cultural resources are avoided. Prior to the commencement of any construction related site disturbance, the qualified archeologist shall submit to the Corps of Engineers a written statement detailing their understanding of the scope of work for which they have been retained.

3. Specific monitoring procedures shall be at the discretion of the qualified archeologist. If previously undiscovered or undocumented cultural resources are discovered, all construction activity within 50 yards of the find(s) will cease, at which time the qualified archeologist will determine the significance of the potential cultural resource and the need to contact the Army Corps of Engineers in order to coordinate with the State Historic Preservation Officer pursuant to 33 CFR Part 325 Appendix C and applicable guidance. Construction activities shall not resume until the significance of the find(s) is determined and appropriate data recovery measures, if necessary, are completed. Upon completion of the project the permittee shall submit a report to the Corps describing the outcome of site monitoring.

4. The permittee shall employ all standard Best Management Practices to ensure that toxic materials, silt, debris, or excessive erosion do not enter the Santa Clara River and its tributaries during project construction.

5. The permittee shall ensure that all vehicle maintenance, staging, storage, and dispensing of fuel occurs in designated upland areas. The permittee shall ensure that these designated upland areas are located in such a manner as to prevent any runoff from entering waters of the United States.

6. The permittee shall minimize discharges of fill material in waters of the United States during the normal wet season (November 1 to April 1) to the maximum extent practicable.

7. The permittee shall fully implement all the terms and conditions of the Biological Opinion prepared by the U.S. Fish and Wildlife Service. This Corps permit does not authorize you to take an endangered or threatened species or their designated critical habitat, in particular the unarmored threespine stickleback, arroyo toad, least Bell's vireo, southwestern willow flycatcher yellow-billed cuckoo, slender-horned spine-flower and the California red-legged frog. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA). The enclosed U.S. Fish and Wildlife (USFWS) Biological Opinion (BO) contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with incidental take that is also specified in the BO. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take of the attached BO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute non-compliance with your Corps permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA.

8. To avoid and minimize impacts to waters of the United States that support moderate to high physical and biological functions in the upper Santa Clara River watershed, mechanical removal, grazing, aerial spraying and controlled burning in reaches infested with 40 to 50% relative canopy cover of exotic plant species is not authorized unless the applicant can demonstrate through avoidance and minimization measures that the above exotic removal methods would not result in adverse impacts to existing riparian habitat. In reaches that are infested with 40% or less relative or canopy cover of exotic plant species, mechanical removal, aerial spraying, grazing and controlled burning in waters of the United States are not authorized under this permit.

9. Prior to any discharges of fill material in waters of the United States for the removal of exotic plant species in the upper Santa Clara River watershed, the applicant shall notify the Corps of Engineers and the U.S. Fish and Wildlife Service and not proceed with any discharges of fill material in waters of the United States until they have received written authorization in the form of a notice-to-proceed from the Corps of Engineers for the specific exotic plant removal project.

10. Prior to any discharges of fill material in waters of the United States, the applicant shall provide a notification package to the Corps of Engineers and the U.S. Fish and Wildlife Service that includes the following information:

a. Location and boundaries of the exotic plant removal site (actual reach areas to be cleared, including the total acreage of waters of the United States to be temporarily disturbed in the project area).

b. Longitude and latitude coordinates of the project boundaries (or UTM coordinates).

c. Location map of the proposed exotic plant removal area with the reach to be cleared delineated.

d. Quantity of material to be temporarily placed in waters of the United States, including any temporary dewatering structures, access ramps, roads and stockpiles (cubic yards of sediment and acres of vegetation cleared by vegetation type).

e. Location and method of disposal for the exotic plant species.

f. Pre-clearing colored photographs of the project site taken at least every 500 feet within the exotic plant removal area, which clearly shows the vegetation types. Photographs shall be taken from permanent points established along each reach (<500 feet apart). Permanent photo points shall be used to document the vegetation avoided within each reach during the exotic plant removal activities and to document implementation of applicable avoidance and minimization measures.

g. Detailed description of the proposed exotic plant removal method(s) to be utilized and a detailed discussion of how the proposed removal method is appropriate in light of the existing native vegetation in the stream channel reach, the percentage of exotic plant species present, the presence of any sensitive species and other appropriate criteria defined in the Final EIR.

h. Detailed discussion of the proposed avoidance and minimization measures to be implemented during work in waters of the United States including compliance with the terms and conditions of the Biological Opinion, implementation of permit special conditions, restoration of temporary impact areas and revegetation with native plant species.

i. A schedule for the proposed exotic plant removal project including any subsequent treatment of the specific reach and monitoring of the removal site to ensure the target species have been eradicated.

j. If available, any cultural resource surveys or reports for the proposed exotic plant removal area.

For additional information please call Gerardo Hidalgo of my staff at (805) 585-2145 or via e-mail at Gerardo.L.Hidalgo@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.

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
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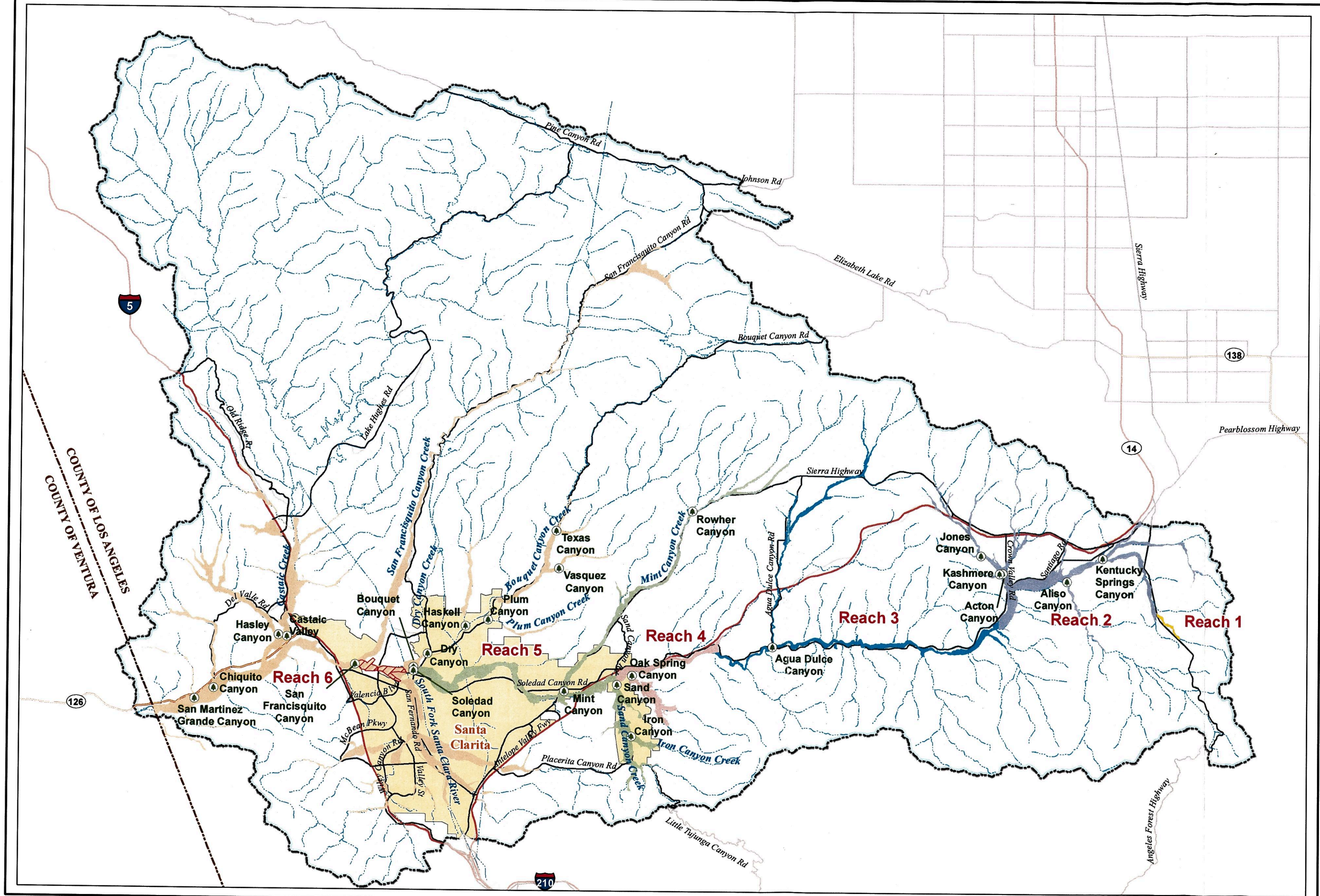


Legend

- City
- SCARP Site Specific Project Area
- SCARP Project Area
- Rivers and Streams

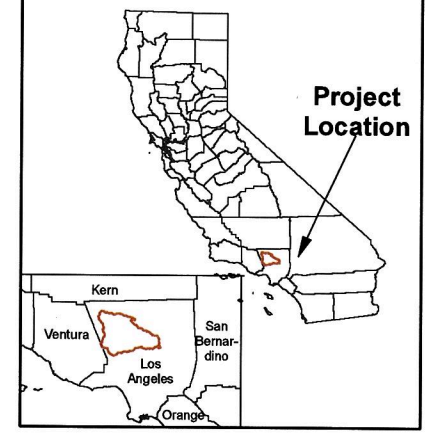
Santa Clara River Reach

- Reach 1
- Reach 2
- Reach 3
- Reach 4
- Reach 5
- Reach 6

Major Roads

- Limited Access Highwhay
- Highway
- Major Roads

Location Map



Map Notes

Data source
CaSIL - Major Cities, Rivers and Streams
Major Roads
AMEC - Long Term Project Area
Site Specific Project Area
AMEC - Santa Clara River Reach
Projection:
Stateplane, California 405, NAD, Feet

Path: z:\sd04\bio\scarp\mxd\
LTP_reaches.mxd
Date: May 10, 2005

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Upper Santa Clara River Watershed - Santa Clara River Reaches
Arundo and Tamarisk Removal Program Project Area

FIGURE
3-1