



PUBLIC NOTICE

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

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**APPLICATION FOR PERMIT
Lake Riverside Estates Operation and Maintenance
Regional General Permit**

Public Notice/Application No.: SPL-2017-00196-PJB

Project: Lake Riverside Estates O&M RGP

Comment Period: February 2, 2018 through March 4, 2018

Project Manager: Peggy Bartels; (951) 276-6624; Peggy.J.Bartels@usace.army.mil

Applicant

Lake Riverside Estates
Robin Santillan
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Aguanga, California 92536
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Contact

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Army Corps of Engineers
1451 Research Park Drive, Suite 100
Riverside, California
Peggy.J.Bartels@usace.army.mil
951-276-6624 (o)

Location

The proposed project would occur within the unincorporated city of Aguanga, California (Figure 1). Located in Township 7 South, Range 2 West and Section 32 of the San Bernardino Meridian, Latitude 33.520288 West and Longitude -116.799587 North (Figure 2).

Activity

The purpose of this proposed project is to conduct operations and maintenance in existing culverts and waters of the U.S. (Figure 3 and Photograph 1); reduce flooding onto residential properties in Lake Riverside Estates (Photographs 2-4); and reduce sediment flows into Cahuilla Creek. Specific roads that are more susceptible to sedimentation flows and flooding and that will be maintained more intensively include Forest Springs Road, Lake Canyon Drive, Brook Trails Way, and Lake Shore Boulevard. For more information see Additional Project Information section below.

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: Peggy Bartels
1451 Research Park Drive, Suite 100
Riverside, California 92507

Alternatively, comments can be sent electronically to: Peggy.J.Bartels@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- This project is located outside the coastal zone and preliminary review indicates it would not affect coastal zone resources. After a review of the comments received on this public notice and in consultation with the California Coastal Commission, the Corps will make a final determination of whether this project affects coastal zone resources 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 this site is 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- Preliminary determinations indicate the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

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 into a special aquatic site (e.g.,

wetlands, pool and riffle complex, mudflats, coral reefs). Because no fills are proposed within special aquatic sites, identification of the basic project purpose is not necessary. The basic project purpose for the proposed project is to reduce and avoid impacts to waters of the U.S., reduce sediment flowing into Cahuilla Creek, and reduce flooding onto residential properties via improving Best Management Practices. The project is not 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 reduce impacts to waters of the U.S., reduce sediment flowing into Cahuilla Creek, and reduce flooding onto residential properties.

Additional Project Information

Baseline information- Lake Riverside Estates (LRE) was planned and developed in the 1970s. Upon the approval of the development, the original plan to pipe three unnamed streams that flow through the development and into Cahuilla Creek was not completed. Thus, these three streams flow down Forest Springs Road, Brook Trails, and Lake Canyon Drive into Cahuilla Creek. These three roads provide a pathway for the flows of these three streams. Since the flows are not in a stable streambed, the sediment that flows down these streams builds up on the roads approximately 6-10 feet during a decade.

Within the LRE development boundary, there are approximately 110 miles of roads and 1,192,400 square feet (24 acres) of culverts and ditches (Figure 3). Within LRE, aquatic resources consist of approximately 596,200 linear feet (100 miles) of streams along roads, 137,280 linear feet (26 miles) of natural and channelized streams, and 59 acres of the Riverside Lake's surface.

Project description- The proposed project is to conduct work activities that would allow a discharge of fill and excavation of waters of the U.S. located in road ditches, culverts, Arizona Crossings, channelized streams and natural streams. This would allow these aquatic resources to remain open (unclogged with sediment and debris) and support flows within the boundaries of LRE.

The proposed temporary impact per year is 11,670 linear feet (on Forest Springs Road), 4,470 linear feet (on Lake Canyon Drive) and 3,570 linear feet (on Brook Trails) and totals 19,710 linear feet. This number is doubled because both sides of these three roads is a water of the U.S. and therefore 39,420 linear feet (7.4 miles; 157,680 square feet; 3.6 acres) of waters of the U.S. are situated along these three roads. Impacts under authorization of this Regional General Permit will encompass up to 15 acres per year.

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:

Avoidance: As originally proposed, the Applicant will not be excavating sediment and vegetation in Lake Riverside. This is a reduction of 59 acres of impact to wetlands and non-wetland waters of the U.S. The Applicant proposes to use a skimmer to remove excess algae formation on top of Lake Riverside. Additionally, the Applicant will reduce sedimentation flows to Cahuilla Creek by constructing a sedimentation basin in the uplands.

Minimization: The Applicant will be maintaining the existing culvert drainage system to support flows, reduce sedimentation and reduce flooding onto existing properties. Best management practices (BMPs) would be utilized to reduce, channel and eliminate sediment flows.

Compensation: Not required.

Proposed Special Conditions

Proposed Permit Special Conditions will be added at a later time to the permit.

For additional information please call Peggy Bartels at (951) 276-6624 or via e-mail at Peggy.J.Bartels@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.

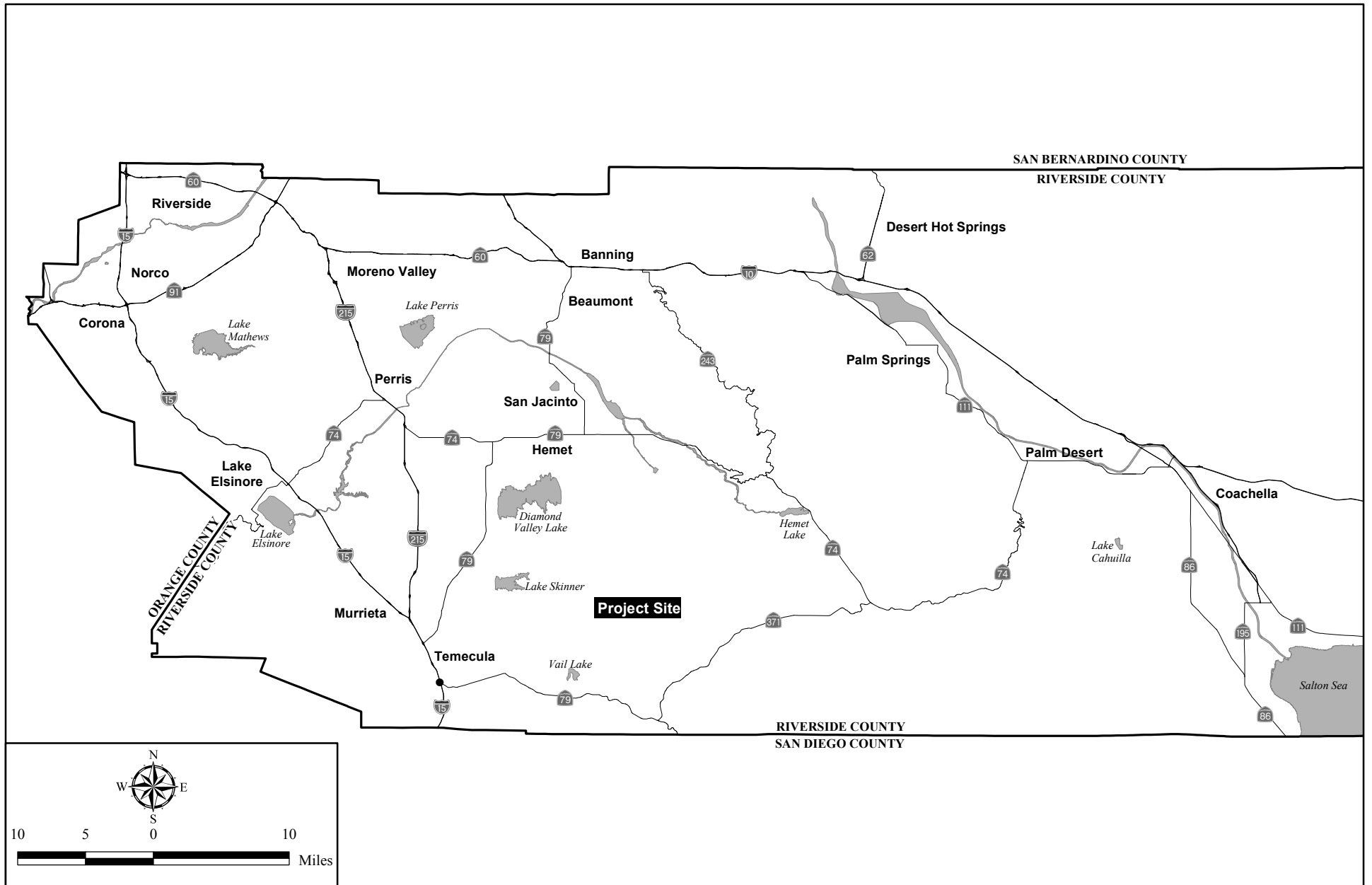


Regulatory Program Goals:

- 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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Regional Location Map

Figure 1

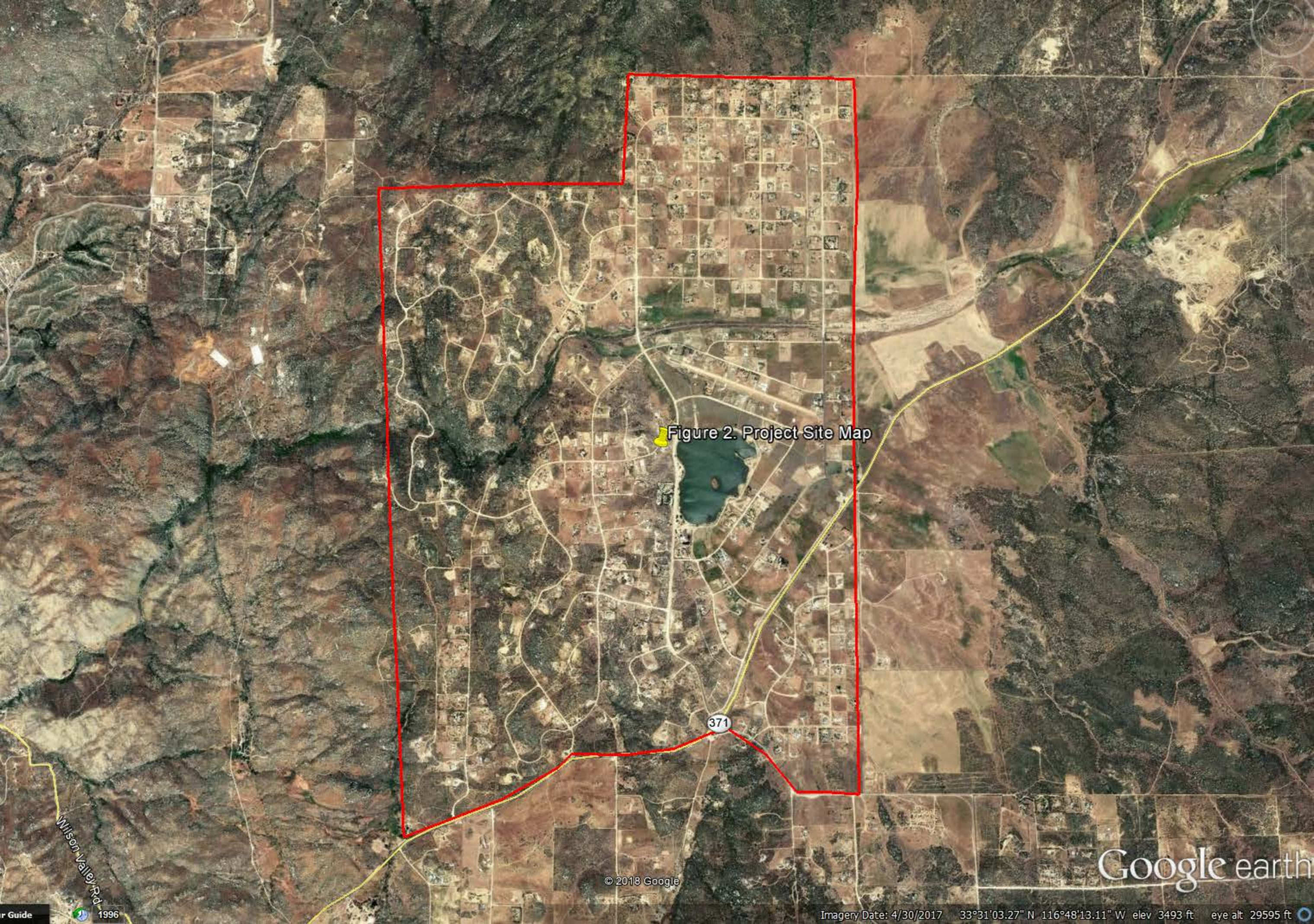


Figure 2. Project Site Map

371

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Imagery Date: 4/30/2017 33°31'03.27" N 116°48'13.11" W elev 3493 ft eye alt 29595 ft

Wilson Valley Rd
1996

Guide

TRACT 3925

LAKE RIVERSIDE ESTATES

Figure 3. Culvert locations within Lake Riverside Estates.

