



# PUBLIC NOTICE

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

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## **APPLICATION FOR PERMIT Monte Verde Road Box Culvert and Riprap Reconstruction Project**

**Public Notice/Application No.:** SPL-2018-00482-PJB

**Project:** Monte Verde Road Box Culvert and Riprap Reconstruction Project

**Comment Period:** August 6, 2018 through September 6, 2018

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

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### **Applicant**

Geoffrey Smith  
Standard Pacific Homes  
980 Montecito Drive, Suite 300  
Riverside, CA 92879  
(951)817-3517

### **Contact**

Barry Jones  
Helix Environmental Planning, Inc.  
7578 El Cajon Blvd.  
La Mesa, CA 91942  
(619)462-1515

### **Location**

The project area is located approximately 3.25 miles west of Interstate 15 and 1.3 miles south of State Route 79 in portions of Township 8 South, Range 2 West, Section 22 on the U.S. Geological Survey 7.5-minute Pechanga quadrangle in unincorporated Riverside County, CA, just east of the City of Temecula (Figure 1). The project site is located on the north and south side of Monte Verde Road, west of El Chimisal Road and north of Anza Road (Figure 2).

### **Activity**

The activity consists of reconfiguring one box culvert and associated riprap identified as Line E Culvert Crossing and relocating two outfalls identified as Line B and C Outfalls (Figure 3). These changes would support reduced flow velocities downstream in the unnamed stream (Figure 4). For more information see Additional Project Information section below.

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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

Alternatively, comments can be sent electronically to: [Peggy.J.Bartels@usace.army.mil](mailto: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. The larger project received a water quality certification (No. R9-2012-0075), and the applicant is requesting an amendment to that certification.

**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 erosive velocities coming from Line B and C Outfalls and Line E Culvert Crossing (Figure 3). The project is 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 is to provide protection for all weather

access to existing and proposed development via Monte Verde Road and the reduction of flows to non-erosive velocities in the unnamed stream (Figure 4).

### **Additional Project Information**

**Baseline information-** In 2017, a box culvert was constructed in the stream under Monte Verde Road. The pre-developed velocities in the unnamed stream (Figure 4) were calculated up to 19.9 cubic feet per second. After construction, the velocities exiting the box culvert were found to be erosive in nature, and were up to 15.6 feet per second (Photograph 1).

In 2018, the Permittee returned to the Corps to request a permit for proposed changes in the design of the box culvert and associated riprap for the purpose of protecting Monte Verde Road and the unnamed streambed, and reducing downstream velocities in this stream (Figure 4).

**Project description-** There are two parts to the alternative review. First, the preferred alternative would relocate Lines B and C Outfalls into an outfall approximately 120 feet downstream of the original outfall location (Figure 3). The relocated Lines B and C Outfalls would result in placement of 700 square feet (0.016 acre) of rip rap in the unnamed stream (Figures 3 and 4). This part of the alternative review is the same throughout all alternatives.

The second part of the alternative review is the re-construction of the Line E Culvert Crossing and associated riprap (Figure 3). In this second part of the alternative review, there are six alternatives. Each of the six alternatives is constrained by: 1) the existing sewer and water lines in Monte Verde Road; 2) the existing gradient of 2.2 percent in the unnamed stream, which under normal situations is considered erosive; 3) not allowing creation of backwater conditions onto upstream properties; 4) reducing flows leaving the culvert and riprap at or below existing flow rates (Q values); and 5) ensuring future maintenance work has access to the culvert, riprap and streambed.

Including the Permittee's preferred alternative, there are six culvert and riprap reconstruction alternatives. Refer to table below for a short summary of alternatives. Alternative 3, the preferred alternative will leave the existing Monte Verde Road box culvert in place and will increase the length of rip rap downstream of the culvert from 15 feet to 42 feet, resulting in flows of 7.4 feet per second at the edge of the rip rap.

Alternative Number, Name and Figure	Brief Description	Q 100 Velocity/ at end of Riprap/ Structure	Q100 Velocity at the Property Line	Scour Increase at Property Line	Permanent Impacts of Box Culvert and Riprap in Waters of the U.S.
2014 Least Environmentally Damaging Practicable Alternative	Use two 12' wide by 8' high box culverts with 15' of riprap at the outlet.	12.9 feet/second	6.1 feet/second	No increase from pre-development	0.046 acre
Alternative 1: Drop Structure (Figure 3)	Use existing culvert with 6 foot vertical outlet elevation drop. The weir would be 3' high at a width of 65' and length of 15', and have 10' of rip rap at the outlet of the weir. Rip rap would be required along the channel side slopes; length of 28 feet.	6.1 feet/second	6.4 feet/second	No increase from pre-development	0.059 acre

Alternative 3: Current County Approved/ Preferred Alternative	Use existing three 12' wide by 3.5' box structure with 42' of rip rap at outlet of culvert.	7.4 feet/second	6.0 feet/second	No increase from pre- development	0.068 acre
Alternative 5: Partial R&R Box Culvert	Remove and reconstruct concrete portion of the existing culvert. Adjust design to match existing grade. Riprap length would be 42 foot in length.	5.8 feet/second	5.4 feet/second	No increase from pre- development	0.068 acre
Alternative 7A Modified Current County Approved	Riprap length would be 15 feet in length.	19.7 feet/second	6.0 feet/second	No increase from pre- development	0.050 acre
Alternative 7B Modified Current County Approved	Riprap length would be 26 feet in length.	14.9 feet/second	No increase from pre- development	No increase from pre- development	0.058 acre
Alternative 7C Modified Current County Approved	Riprap length would be 35 feet in length.	8 feet/second	No increase from pre- development		0.064 acre

**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: In 2014, 0.065 acre (2,831 square feet) of riprap was proposed to be placed at the entrance to the box culvert. This riprap will not be placed in any of the six alternatives.

Minimization: The applicant has worked with the County of Riverside in minimizing the amount of rip rap needed downstream of Monte Verde Road by steepening the gradient of the riprap. The amount of riprap being placed downstream of Monte Verde Road and at the outlet for Lines B and C is the minimum necessary to bring velocities to non-erosive levels.

Compensation: Mitigation for the placement of rip rap at the Line B and C outfall as well as any additional mitigation for the placement of rip rap downstream of Monte Verde Road will be determined in consultation with the Corps.

### **Proposed Special Conditions**

The Corps will likely include special conditions related to mitigation with the standard individual permit.

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



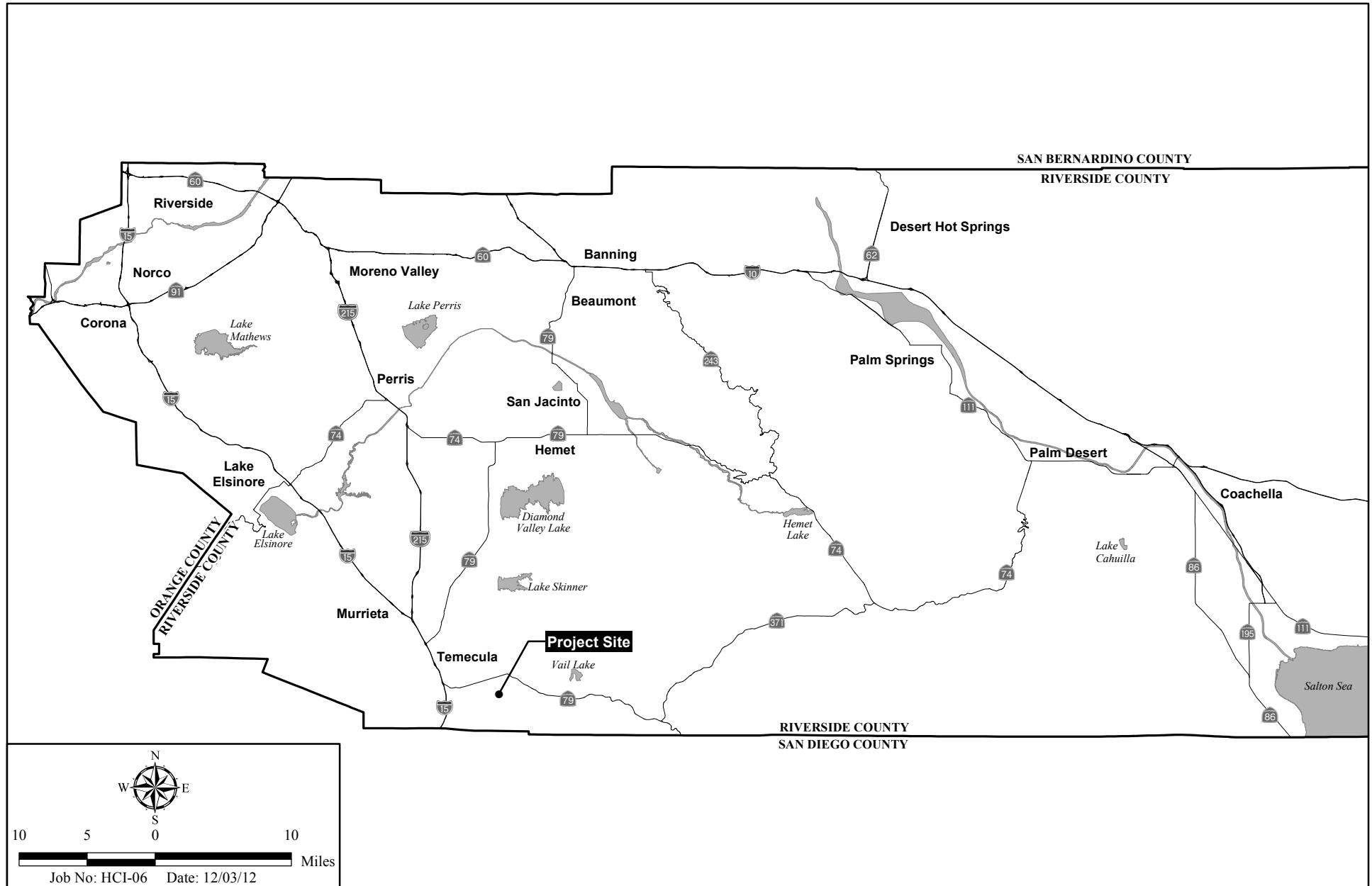
*Regulatory Program Goals:*

- 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.

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

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## Regional Location Map

ATHERTON

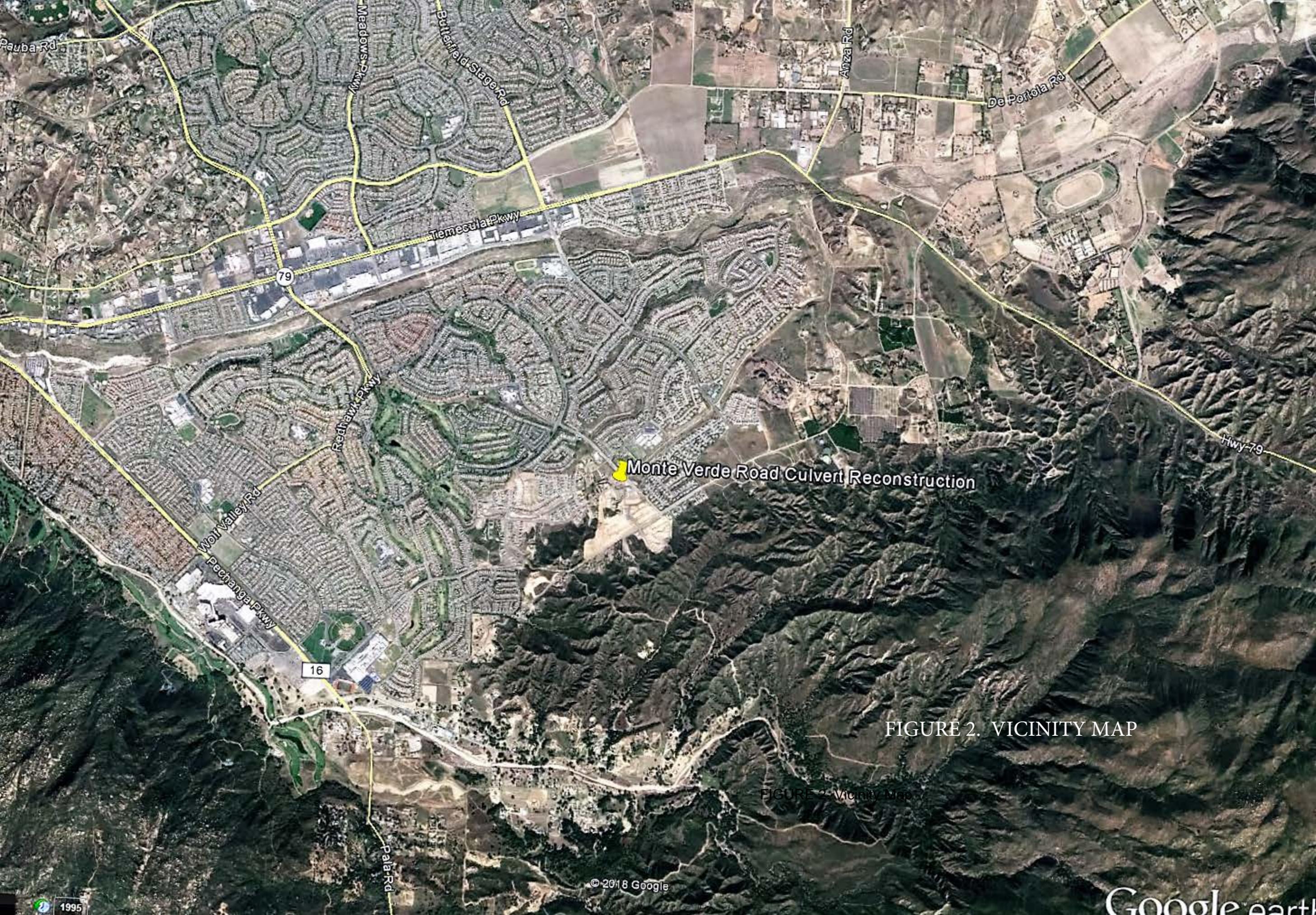


FIGURE 2. VICINITY MAP

FIGURE 2. Vicinity Map



## Atherton

