



PUBLIC NOTICE

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

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APPLICATION FOR PERMIT

**Regional General Permit
Maintenance and Training Activities
U.S. Marine Corps Base Camp Pendleton**

Public Notice/Application No.: SPL-2018-00564-CJA

Project: Regional General Permit for Maintenance and Training Activities on U.S. Marine Corps Base Camp Pendleton

Comment Period: November 8, 2018 through December 7, 2018

Project Manager: Christopher J. Allen, (760) 602-4836

Applicant

Captain Joseph Kunicki
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Contact

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Location

The Marine Corps Base Camp Pendleton is located in southern California, approximately 40 miles north of downtown San Diego, within the northern portion of San Diego County (33.29312, -117.3446). The city of San Clemente in Orange County and the Cleveland National Forest border the Base to the north and east. The community of Fallbrook and Naval Weapons Station Seal Beach, Detachment Fallbrook are also to the east. The city of Oceanside is to the south.

Activity

The activity as proposed would establish a Regional General Permit (RGP). The RGP would authorize the discharge of fill material into Waters of the United States for the purposes of conducting specific activities associated with maintenance and training activities on Marine Corps Base Camp Pendleton. Specific activities include extension or repair of utility lines, related appurtenances, and utility facilities; vegetation management; minor discharges related to repair and replacement of existing berms, firing positions, fire breaks, and other structures related to training and fire protection; maintenance and repair of existing secondary roads and trails; maintenance and repair of culverts, swales, or other constructed drainage systems; and repairs to military vehicle crossings and training trails. See below for a detailed project description.

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 drawings. 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: Christopher J. Allen
5900 LA PLACE COURT, SUITE 100
CARLSBAD, CALIFORNIA 92008

Alternatively, comments can be sent electronically to: christopher.j.allen@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 within the coastal zone and preliminary review indicates it may affect coastal zone resources. After a review of the comments received on this public notice and in consultation with the California Coastal Commission, U.S. Marine Corps Base Camp Pendleton would make a final determination of whether each project authorized under this Regional General Permit affects coastal zone resources on a case by case basis.

Essential Fish Habitat- Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the Regional General Permit area. U.S. Marine Corps Base Camp Pendleton would make a final determination of whether each project authorized under this Regional General Permit affects EFH resources on a case by case basis.

Cultural Resources- Cultural resources exist within the Regional General Permit area boundary. U.S. Marine Corps Base Camp Pendleton would conduct a cultural resource inventory and determine each proposed actions potential to effect any cultural resources on a case-by-case basis. U.S. Marine Corps Base Camp Pendleton would coordinate with the State Historic Preservation Office as needed to satisfy obligations pursuant to Section 106 of the National Historic Preservation Act. U.S. Marine Corps Base Camp Pendleton would provide its determination of effects to the Corps during the Regional General Permit Notification process.

Endangered Species- Federally listed threatened and endangered species exist within the Regional General Permit area boundary. U.S. Marine Corps Base Camp Pendleton would prepare a Biological Assessment to determine each proposed actions potential to effect any listed species on a case-by-case basis. U.S. Marine Corps Base Camp Pendleton would cooperate with the United States Fish and Wildlife Service as needed to satisfy obligations pursuant to Section 7 of the Endangered Species Act. U.S. Marine Corps Base Camp Pendleton would provide its determination of effects to the Corps during the Regional General Permit Notification process.

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

This Regional General Permit (RGP) proposes to authorize the discharge of fill material into Waters of the United States while conducting specific activities associated with maintenance and training activities on Marine Corps Base Camp Pendleton in southern California. Specific activities include extension or repair of utility lines, related appurtenances, and utility facilities; vegetation management; minor discharges related to repair and replacement of existing berms, firing positions, fire breaks, and other structures related to training and fire protection; maintenance and repair of existing secondary roads and trails; maintenance and repair of culverts, swales, or other constructed drainage systems; and repairs to military vehicle crossings and training trails. See below for additional details regarding specific activities, the notification process, and annual reporting to the Corps covered under this application.

This RGP proposes to authorize the following with the associated limitations:

Category	Limits of Loss of Waters of the U.S.
A Utility lines	up to 0.50-acre loss of Waters of the U.S.
B Vegetation Management	up to 0.50-acre loss of Waters of the U.S.
C Minor Discharges-impact berms, firing positions, fire breaks	up to 0.50-acre loss of Waters of the U.S.
D Routine Linear Transportation Projects	up to 0.50-acre loss of Waters of the U.S.
E Culverts, Swales, Constructed Drainage, and Stormwater BMPs.	up to 0.50-acre loss of Waters of the U.S.
F Military Training Trails	up to 0.50-acre loss of Waters of the U.S.

*Temporary discharges of fill materials and associated impacts to Waters of the U.S. may also be authorized by this RGP. All temporary fills would be removed and impacts to Waters of the U.S. would be restored to preconstruction contours, elevations, and vegetation communities within 12 months of project completion.

The following section provides a detailed discussion of the activities covered by this RGP. This RGP would authorize discharges of fill material into waters of the U.S. associated with the following activities:

A- Utility Lines*

Activities would include extension or repair of utility lines, related appurtenances, and utility facilities. Also included are activities related to testing, inspection, maintenance, repair, and replacement of

existing utility lines, utility facilities, and appurtenances. Specific work activities include, but are not limited to: trenching, excavation/backfill, horizontal boring, valve repair, utility pole removal/replacement; monitoring, production, and injection wells and well facility repairs, installation, and replacement; precast manhole and handhole installation or repair, concrete pad installation, bollard installation, fencing, cathodic protection, anode replacement, repair or replacement of blow-offs, air-vacs, hydrants, backflow preventers, and other accessories.

B- Vegetation Management

Activities include removal of large trees along with the root systems, and filling in behind the root systems with soil. Sustaining existing ditches and engineered stormwater runoff by removing/maintaining the vegetation to prevent erosion and decrease clogging in existing drainages. To maintain and/or improve flow to limit flooding, stormwater damage, and erosion control.

C- Minor Discharges

Activities involving minor discharges include the repair or replacement of existing impact berms, firing positions, fire breaks, and other structures associated with training and fire protection activities on the Base. Activities in this category would involve a discharge of not more than 25-cubic yards of fill material.

D- Routine Linear Transportation Projects

Activities would include the maintenance and repair of existing secondary roads and trails Base-wide. All maintenance will be done within the confines of the established roadway and roadway prism. Types of maintenance activities includes grading, crowning, compacting, ditching, and adding material as required. May also include repairs to bridges, concrete crossings, and earthen dams (some range roads cross over these dams).

E- Culverts, Swales, Constructed Drainage, Stormwater BMPs.

Activities would include culvert, headwall, and wingwall installation, culvert cleaning, minor culvert repairs, culvert replacements (smaller or larger based on stream flow assessment), and clearance of debris from culvert inlets and outlets, swales, or other constructed drainage systems. Activities would include repair of minor cracks in concrete systems, replacing riprap, gabion boxes or other stormwater runoff systems that may be displaced by weather conditions. Extensive erosion may require large amounts of fill to repair voids and erosion control structures, such as riprap, up and downstream of the crossing per San Diego Regional Standard Drawings for Energy Dissipators. Activities may also include the extension of storm drain line or culverts at locations where erosion is occurring near roads or facilities. Maintenance activities are authorized up to 25-feet on either side of culverts and crossings. Stormwater BMPs, such as, bioretention basins, vegetated swales or infiltration basins, require continuous maintenance for proper functionality. Maintenance of Stormwater BMPs includes, trimming vegetation, removing debris and unwanted vegetation, occasional removal and replacement of soils, and repair work to pipes, inlet structures, and other accessories. Temporary erosion control measures may be employed during storm events and include silt fence, fiber rolls, gravel and sand bags, and other forms of barriers, which may also be used to divert flows away from threatened structures. Additionally, areas or roads that are prone to flooding or erosion issues may be improved or repaired with more durable surfaces to include gravel, rock, or concrete.

F- Military Training Trails

Activities associated with repairs to existing military vehicle crossings, and training trails. These activities include grading, management of water runoff, and maintaining v-ditches and check-dams. Trails shall be maintained to allow military training vehicles to a safe and operable condition, up to 25 feet on either side of culverts.

*utility lines include raw water, potable water, sewer, reclaimed water, natural gas, electrical, and communications infrastructure.

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).

The applicant's stated basic project purpose is to conduct military training activities on Marine Corps Base Camp Pendleton.

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 applicant's stated overall project purpose is to maintain and repair existing infrastructure associated with military training activities on Marine Corps Base Camp Pendleton. Infrastructure to be maintained includes utility lines, military training trails, vegetation management within flood control facilities, culverts, swales, constructed channels, transportation facilities, and other infrastructure projects that would require minor discharges.

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 and Minimization Measures

1. All project-related activities will occur within the project boundary. The project footprint, including staging areas and temporary disturbance, will be sited to avoid and minimize impacts to native habitats, federally listed threatened or endangered species, and be limited to the sites specified in the project description. Parking, driving, lay-down, stockpiling and vehicle and equipment storage will be limited to previously compacted and developed areas and no off-road vehicle use will be permitted beyond the project site and designated access routes. Disturbances to adjacent native vegetation will be minimized.
2. Ingress and egress of construction equipment and personnel will be kept to a minimum and will use a single access point to the site wherever possible.
3. At least seven days before project initiation, the project boundary, including temporary features such as staging areas and access roads, will be clearly marked with flagging, fencing, or signposts. All project-related activities will occur within the project boundary.
4. BMP's - such as silt fences, silt basins, and gravel bags, or other measures to control erosion and prevent the release of contaminants that could be harmful to federally listed species or to the environment – shall be incorporated.
5. Fueling of equipment will be allowed only in designated areas specified on the construction plans.
6. Vegetation within 25-feet of culvert inlets/outlets will be removed only to the extent necessary to prevent blockage of flow through culverts. Vegetation removal will be minimized whenever possible to prevent subsequent erosion of channels or streambeds resulting from loss of stabilizing root structure.

7. All trash will be disposed of properly. All food-related trash will be placed in sealed bins or removed from the site regularly. Following project construction, all equipment, waste, and construction debris will be removed from the site, and the soil will be re-contoured prior to habitat restoration.

8. Immediately following project completion, temporarily disturbed areas will be re-contoured, stabilized, and hydro-seeded with native species consistent with pre-existing conditions. Nonnative plants, including noxious weeds (as listed by the California Invasive Plant Council), will be prevented from establishing in temporarily disturbed areas, either by hand-weeding or selective application of herbicide for up to two years after hydro-seeding.

9. No dumping or fill shall be placed in/near any Clean Water Act (CWA) Section 404 Water of the U.S. except as authorized by a permit from the U.S. Army Corps of Engineers (USACE) in support of the CWA (33) U.S.C. §§ 1251 - 1387 section 404, the Soil and Water Conservation Act (16) U.S.C. §§ 2001 - 2009, and MCO P5090.2A, 11201.3.

Compensatory Mitigation

To ensure all compensatory mitigation is commensurate with the level of impact, the Notification will include a compensatory mitigation concept. The proposed mitigation concept will be consistent with the Compensatory Mitigation for Losses of Aquatic Resources Final Rule (33 C.F.R. 332) and the South Pacific Division's, "12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios". Compensatory mitigation concepts and associated mitigation ratios will be determined on a case-by-case basis.

For additional information please call Christopher J. Allen at 760-602-4836 or via e-mail at christopher.allen@usace.army.mil.

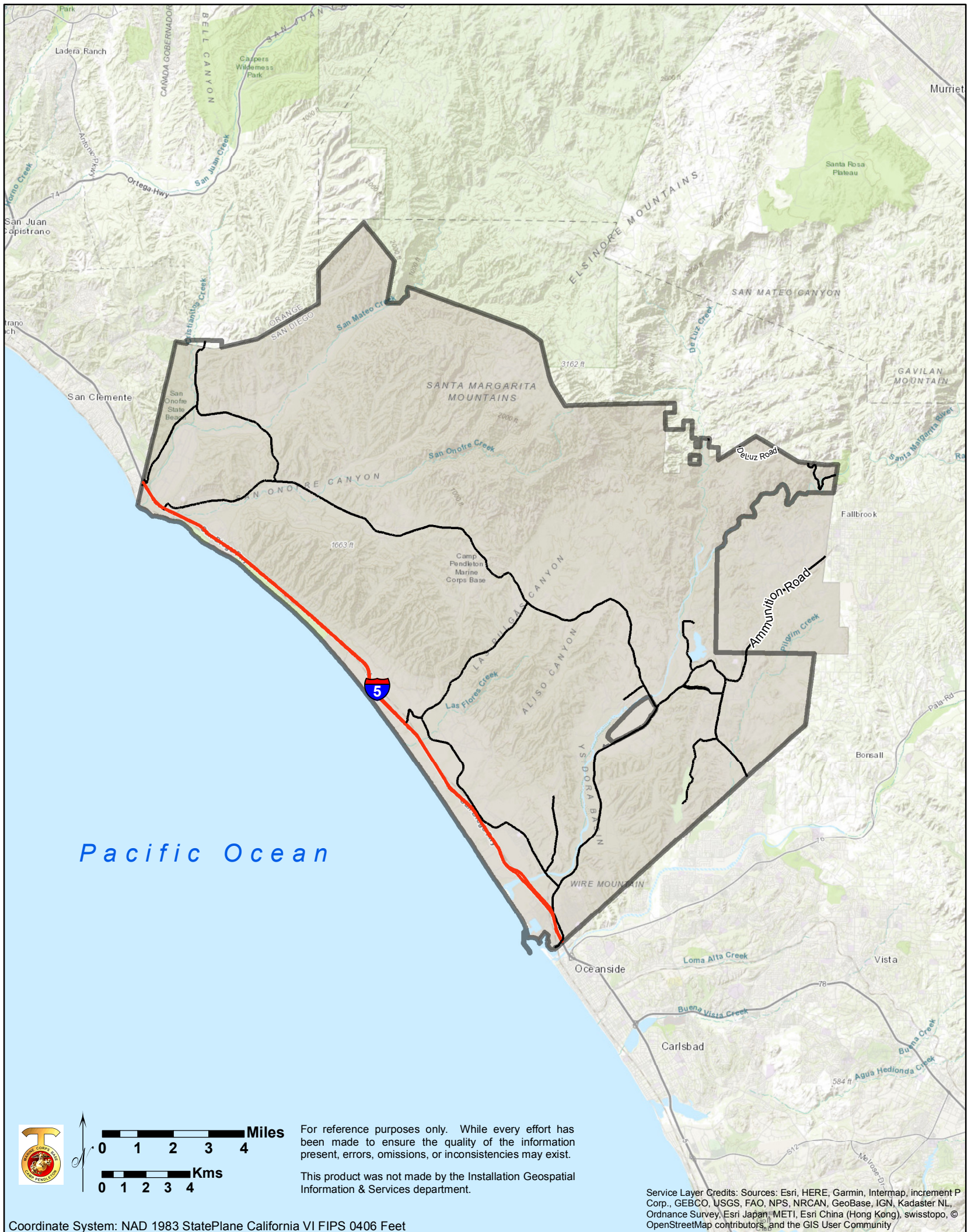


Regulatory Program Goals:

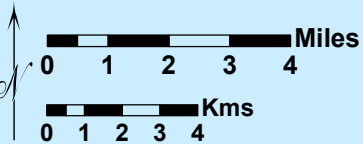
- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
5900 LA PLACE COURT, SUITE 100
CARLSBAD, CALIFORNIA 92008

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Pacific Ocean



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