



PUBLIC NOTICE

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

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**APPLICATION FOR PERMIT
Pine Avenue Extension Project**

Public Notice/Application No.: SPL-2015-00360-VN

Project: Pine Avenue Extension Project

Comment Period: February 26, 2021 through March 28, 2021

Project Manager: Vanessa Navarro; (213) 452-3420; Vanessa.Navarro@usace.army.mil

Applicant

Maria Fraser
City of Chino
13220 Central Avenue
Chino, California 91710

Contact

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Location

The proposed project is located in and near Chino Creek and Cypress Channel. The site is located along the existing Pine Avenue alignment between SR-71 and Euclid Avenue within the cities of Chino and Chino Hills, San Bernardino County, CA (at: 33.949971, -117.663131).

Activity

The City of Chino (City), in coordination with the California Department of Transportation (Caltrans), proposes to extend Pine Avenue from SR-71 eastward to El Prado Road as an urban four-lane arterial. The City also proposes to widen Pine Avenue to a four-lane arterial from El Prado Road to Euclid Avenue (SR-83). The Chino Creek and Cypress Channel crossings would be widened as part of the project to accommodate the additional through lanes. In total the proposed project would permanently impact 2.92 acres of wetland waters of the U.S. (WoUS) and 1.03 acres of non-wetland WoUS. Additionally, there would be temporary impacts to 0.26 acre of wetland WoUS and 0.20 acre of non-wetland WoUS. For more information see Additional Information section below.

Submittal of Public Comments

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.

During the Coronavirus Health Emergency, Regulatory Program staff are teleworking. Please do not mail hard copy documents, including comments to any Regulatory staff. Instead, your comments should be submitted electronically to: Vanessa.Navarro@usace.army.mil. Should you have any questions or concerns about the Corps' proposed action or our comment period, you may contact Vanessa Navarro directly at (213) 452-3420.

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.

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- The proposed activity would affect federally listed species, or their critical habitat, including the federally endangered least Bell's vireo (*Vireo bellii pusillus*; vireo) and its designated critical habitat and the southwestern willow flycatcher (*Empidonax traillii extimus*; flycatcher). Therefore, formal consultation under Section 7 of the Endangered Species Act was conducted.

The project is receiving federal funding through the Federal Highway Administration (FHWA). Caltrans has assumed FHWA's responsibilities under the Act for this consultation in accordance with Renewed 23 U.S.C. 326 and 23 U.S.C. 327 and as described in the National Environmental Policy Act assignment Memorandum of Understanding between FHWA and Caltrans (effective October 1, 2012). Consultation between Caltrans and the U.S. Fish and Wildlife Service (FWS) was initiated on February 26, 2020 and concluded with a Biological Opinion (BO) issued on May 22, 2020 (FWS-SB-16B0191-19F1560).

The FWS concurred with Caltrans' determination that the proposed project is not likely to adversely affect the federally endangered flycatcher. Therefore, the flycatcher is not addressed in the BO. The BO is based on information provided in the Biological Assessment submitted by Caltrans (February 2020). The project would permanently and temporarily affect 6.60 acres and 2.38 acres of suitable vireo habitat, respectively. Of this, approximately 3.51 acres and 0.65 acres of breeding habitat, and 3.09 acres and 1.73 acres of foraging habitat, would be permanently and temporarily impacted, respectively. The action area contains a total of 107.83 acres of designated critical habitat, with permanent and temporary impacts to 13.14 acres and 4.15 acres, respectively. Of this, 8.87 acres contain the physical or biological features that support breeding and foraging. The temporarily

impacted habitat would be restored following project completion, so temporary impacts are not anticipated to have a long-term effect on vireo critical habitat. The FWS determined that the activities considered in the BO are not likely to jeopardize the continued existence of the vireo or adversely modify its designated critical habitat.

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). The basic project purpose for the proposed project is to **improve transportation efficiency**. 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 serve as a transportation circulation element for the cities of Chino and Chino Hills.

Additional Project Information

Baseline information- A Jurisdictional Delineation (January 2021, ICF International) and a Biological Assessment (February 2020, Caltrans) were prepared to determine the habitat and amount of WoUS within the project site. The Pine Avenue Extension project site is located within the northern portion of the Prado Flood Control Basin (Prado Basin) in San Bernardino County, California. Aquatic features mapped in the study area drain west to east and north to south to Prado Basin joining the Santa Ana River, which in turn drains to the Pacific Ocean. The study area is located within the Santa Ana River hydrologic unit code (HUC) 8 watershed and the Chino Creek HUC 10 sub-watershed.

The majority of the Pine Avenue Extension project area has a relatively flat topography. The area gently slopes downward east to west from Euclid Avenue (555 feet above mean sea level (amsl)) to Chino Creek (525 feet amsl), and slopes downward from west to east from SR-71 (555 feet amsl) toward Chino Creek, with Chino Creek and adjacent low wet areas comprising the lowest elevations in the study area. Much of the Chino Creek floodplain has been developed and there are several storm water management basins and structures associated with Chino Creek north/upstream of the study area.

The western end of the project area is comprised of a mixture of wetlands, open mesic fallow fields, and Chino Creek and its associated riparian corridor with El Prado Golf Course located to the south of Pine Avenue. The eastern end of the Pine Avenue Extension project area consists of light industrial and warehouse facilities to the north of Pine Avenue and El Prado Golf Course and a large basin located south of Pine Avenue. Currently Pine Avenue is closed west of the intersection of El Prado Road as the road is eroded and unpassable at Chino Creek. The damage to Pine Avenue occurred during the 2012/2013 storm season when storm flows eroded out the large culverts under Pine Avenue.

The Prado Basin provides flood control and water conservation storage for the region. The Prado Basin collects runoff from uncontrolled drainage areas and releases from other upstream storage facilities. Both Chino Creek and Cypress Channel drain to the Prado Flood Management Basin. Controlled water releases from Prado Dam occur when the water surface elevation reaches the top of the buffer pool elevation. Much of the Chino Creek floodplain has been developed and there are several storm water management basins and structures associated with Chino Creek north/upstream of the study area.

Ten features potentially subject to the jurisdiction of the Corps, Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) were delineated within the project area. Seven of those features appear to meet the definition of a Navigable Waters Protection Rule (NWPR) Clean Water Act (CWA) Section 404 WoUS (Features 1, 1b, 2, 3, 5, 6, and 8) and the remaining three features were determined to be Porter Cologne Act RWQCB Waters of the State (WoS) resources (Features 3, 7, and 9), and all of the features were determined to be CDFW jurisdictional under Section 1600 of the California Fish and Game Code.

Feature 1 is an un-named linear earthen intermittent feature that conveys flows underneath a large berm between a larger perennially-ponded basin located north of Feature 1 to a small basin (Feature 2) located southeast of Feature 1 via two 36-inch wide culverts. When Chino Creek overflows due to seasonal rain conditions or when upstream releases occur, the reservoir north of Feature 1 is expected to fill and overflow south into Feature 2. The drainage portion of Feature 1 is mostly unvegetated and the vegetation that is present comprises of scattered upland herbs such as shortpod mustard. Riparian vegetation associated with the basin portion of Feature 1 comprises of red willow and arroyo willow.

Feature 1b is an un-named linear earthen intermittent feature that originates from a 36-inch-wide culvert east of SR-71 and conveys flows west to east to the adjacent reservoir/wetland feature north of the study area and Feature 1. No vegetation is associated with Feature 1b.

Feature 2 consists of an earthen bed and bank basin that captures overflows from Chino Creek (Feature 5) and another basin to the north (Feature 1). The basin is connected to Chino Creek via a 36-inch wide culvert to an outflow channel (Feature 3) that flows from the northwestern corner of the intersection of Pine Avenue and Fairfield Ranch Road/Pomona Rincon Road along the north side of Pine Avenue to Chino Creek. Feature 2 is connected to Feature 1 to the northwest via two 36-inch culverts. Feature 2 is defined by a constructed berm along the west side of Fairfield Ranch Road and the north side of Pine Avenue. The feature is expected to have an intermittent flow regime. Feature 2 is vegetated with a mosaic of black willow thickets, mule fat thickets, tamarisk thicket, alkali meadow, upland mustard, and perennial pepperweed patches. Feature 2 is dominated by arroyo willow, salt grass, mule fat, salt cedar, curly dock, common sheep sorrel (*Rumex acetosella*), bristly ox-tongue, Spanish sunflower (*Pulicaria paludosa*), Chinese elm, desert wild grape, California blackberry, common bedstraw, giant reed, white-clover (*Trifolium repens*), and patches of southern cattail.

Feature 3 consists of an earthen intermittent ditch on the north side of Pine Avenue that conveys flows northeast from Feature 2 via a 36-inch-wide culvert to Chino Creek (Feature 5). Feature 3 is vegetated with sporadic patches of mule fat, and walnut (*Juglans* sp.) with a few salt cedar, and Mexican fan palms (*Washingtonia robusta*) present. Additional vegetation associated with Feature 3 includes curly dock, tall flat sedge, summer mustard, western ragweed (*Ambrosia psilostachya*), poison hemlock, cocklebur (*Xanthium strumarium*), castor bean (*Ricinus communis*), broad-leaved pepper-weed, and non-native grasses (*Bromus* sp.).

Feature 4 consists of an earthen ephemeral ditch that conveys flows northeast along the south side of Pine Avenue to Chino Creek (Feature 5). In the Delineation Report, ICF stated that Feature 4 did not meet the CWA NWPR definition of WoUS under the (b)(3) Ephemeral exclusion. The Corps will complete an Approved Jurisdictional Determination (AJD) to determine if this feature would be a jurisdictional WoUS under Section 404 of the CWA.

Chino Creek (Feature 5) is a perennial creek that crosses Pine Avenue and conveys flows north to south through the project area to Prado Basin. At this location, Chino Creek has earthen bed and banks. Prior to the winter of 2012/2013 the creek passed under Pine Avenue via two large culverts; however, 2012/2013 storm flows compromised the culverts and eventually eroded out the entire creek crossing. Presently there remain large concrete blocks, damaged culverts, and rock throughout the creek crossing area. Vegetation associated with Chino Creek is comprised of native riparian forest consisting of black willow, arroyo willow, mulefat, Mexican fan palm, and velvet ash (*Fraxinus velutina*). Additional plants observed in association with the creek include stinging nettle (*Urtica dioica*), poison hemlock, cocklebur, castor bean, broad-leaved pepper-weed, and smilo grass (*Stipa miliaceum*).

Feature 6 (Cypress Channel) is an intermittent creek that conveys flows north to south through the study area toward Prado Basin. Within the project area, Cypress Channel consists of both earthen bed and bank and concrete/rock lined reaches. At this location Cypress Channel crosses underneath Pine Avenue via a large culvert and is also culverted under a golf cart path to the north of Pine Avenue and under a fairway on the El Prado Golf Course to the south of Pine Avenue. North of Pine Avenue, vegetation associated with Feature 6 mostly consists of ruderal upland grasses such as perennial rye grass and Bermuda grass. Directly adjacent to the north side of Pine Avenue, Cypress Channel is associated with a few individuals of Mexican fan palm, Fremont's cottonwood, and black willow. On the south side of Pine Avenue, Cypress Channel is vegetated with herbaceous species such as smartweed (*Persicaria lapathifolia*), speedwell (*Veronica anagallis-aquatica*), tall flat-sedge, perennial rye grass, and common horseweed (*Erigeron canadensis*).

Feature 7 consists of a basin on the north side of Pine Avenue that is associated with a light industrial warehouse. The warehouse was constructed in 2013 and the basin appears to collect nuisance water from the facility. In the Delineation Report, ICF stated that Feature 7 did not meet the CWA NWPR definition of WoUS under the (b)(10) Storm Water Control Feature exclusion as it is a stormwater control feature constructed to convey, treat, infiltrate, or store stormwater runoff and was constructed or excavated in uplands. The Corps will complete an AJD to determine if this feature would be a jurisdictional WoUS under Section 404 of the CWA.

Feature 8 consists of a small wetland north of the borrow site access road and a linear drainage feature within a topographic low-point in the agricultural field south of the access road. The feature conveys flows from north to south within the project area beginning at an emergent wetland before entering a culvert under the dirt access road and continuing as a linear drainage south toward Prado Basin. The agricultural fields in the study area are routinely irrigated, tilled, and harvested. It appears that some of the flows in Feature 8 are supported by irrigation of the agricultural fields and runoff from adjacent uplands. The agricultural fields are fallow and contain a sparse mix of alfalfa, dwarf nettle, perennial rye grass, annual bluegrass, wild radish, and great plantain. The basin located north of the dirt access road is vegetated primarily with wetland species such as bulrush (*Schoenoplectus* sp.), whereas the portion of Feature 8 south of the access road are vegetated with a mixture of both wetland and non-wetland species such as perennial rye grass, Bermuda grass, dense-flowered sprangletop (*Leptochloa* [*Diplachne*] *fusca* [ssp. *uninerva*]), fiddle dock (*Rumex pulcher*), rabbit's foot beard grass, great water speedwell, and great plantain.

Feature 9 is a basin located at the northwestern corner of the borrow site, north of the dirt access road. In the Delineation Report, ICF stated that Feature 9 did not meet the CWA NWPR definition of WoUS under the (b)(9) Artificial Lake or Pond exclusion as it is a small pond excavated in uplands. The Corps will complete an AJD to determine if this feature would be a jurisdictional WoUS under Section 404 of the CWA.

Based on the investigation and analysis documented in the Delineation Report provided by the City, potential CWA Section 404 and 401 Corps/RWQCB jurisdictional resources documented within the study area consist of 2.37 acres (2,362 linear feet) of non-wetland WoUS and 4.27 acres (1,306 linear feet) of wetland WoUS. The RWQCB Porter Cologne Act jurisdictional resources mapped in the study area consist of 0.72 acre (1,379 linear feet) of non-wetland WoS and 0.01 acre (25 linear feet) of wetland WoS. The CDFW jurisdictional resources documented in the study area consist of 2.78 acre (2,701 linear feet) of unvegetated streambed or basin and 8.26 acre (2,492 linear feet) of associated riparian vegetation.

Project description- The City, in coordination with Caltrans, proposes to extend Pine Avenue from State Route (SR) 71 eastward to El Prado Road as an urban four-lane arterial and to reconstruct/widen Pine Avenue to a four-lane arterial from El Prado Road to Euclid Avenue (SR-83) in the Cities of Chino and Chino Hills. The Chino Creek and Cypress Channel crossings would be widened to accommodate the additional through lanes. The project would elevate Pine Avenue above the 50-year flood elevation for the Prado Basin and the 100-year event elevation for Chino Creek and Cypress Channel. Material to elevate Pine Avenue would come from a borrow site in a mostly agricultural area approximately 1.5 miles southeast of Pine Avenue. The proposed project would include the following components:

- Excavation of soil from a borrow site located south of the Pine Avenue alignment located south of Chino Corona Road between Cucamonga Avenue and Hellman Avenue;
- Placement of fill materials along the project alignment to create the proposed embankment;
- Construction of seven 12-foot-wide by 5-foot-high reinforced concrete box (RCB) culverts across Chino Creek;
- Construction of an approximately 500-foot-long bridge structure over Chino Creek;
- Construction of four 12-foot-wide by 10-foot-high RCB culverts across Cypress Channel;
- Construction of a 14-foot-wide by 8-foot-high RCB golf cart undercrossing of Pine Avenue, east of the Cypress Channel and construct golf cart pathway on both sides of undercrossing;
- Raising the existing overhead power lines located between SR-71 and Pomona Rincon Road;
- Construction of an access driveway for utilities services located between SR-71 and Pomona Rincon Road;
- Construction of an access driveway east of Chino Creek;
- Installation of a traffic signal at the intersection of Pomona Rincon Road and Pine Avenue and of El Prado Road and Pine Avenue;
- Relocation of existing overhead utilities and utility poles along the project alignment;
- Modification of existing golf cart pathway east of El Prado Road, northside of Pine Avenue;
- Construction of three access driveway points east of Cypress Channel to Euclid Avenue;
- Installation of local area storm drains along Pine Avenue;
- Construction of retaining walls as needed by changes in elevation that cannot be accommodated by regrading; and
- Conduction of geotechnical borings within the project's limits of disturbance, as needed, during construction to confirm compaction and settlement performance.

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: Due to the project roadway being situated within and adjacent to WoUS, the project has been designed to avoid impacts to WoUS to the maximum extent possible.

Minimization: The proposed project has been designed to avoid and minimize impacts to jurisdictional aquatic resources, endangered species, and cultural resources. Examples include incorporating a 500-foot-long span bridge crossing over Chino Creek, seasonal restrictions, and cultural and biological monitoring during project construction.

The applicant has also proposed the following measures to minimize effects during construction:

- Hydrologic connectivity within Chino Creek would be maintained throughout the duration of construction and no construction work is expected to occur within flowing portions of Chino Creek. Vegetation, debris, mud, silt, or other pollutants from construction activities would not be placed within the creek.
- All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other toxic substances would occur in developed or designated non-sensitive upland habitat areas. The designated upland areas would be located to prevent runoff from entering any drainages, wetlands, or waterways.
- Dust control measures would be implemented during construction to reduce excessive dust emissions. Dust control measures may include wetting work areas regularly, the use of soil binders on dirt roads, and wetting or covering stockpiles.
- Construction personnel would strictly limit their activities, vehicles, equipment, and construction materials to the project impact area and designated staging areas or routes of travel. The construction areas would be the minimal area necessary to complete the proposed project and would be specified in the construction plans. Highly visible barriers (such as orange construction fencing) would be installed around all riparian and sensitive habitats adjacent to the project impact area to designate Environmentally Sensitive Areas (ESAs) prior to the initiation of construction activities. The ESAs would be maintained until the completion of all construction activities.
- A biological monitor would be present during construction activities for the duration of clearing and grubbing for the proposed project to ensure that practicable measures are being employed and avoid incidental disturbance of habitat and species of concern outside the project footprint. ESA fencing would be monitored and maintained at a frequency necessary to ensure its effectiveness. Ongoing monitoring and reporting would occur for the duration of the construction activity to ensure implementation of best management practices (BMPs).
- A storm water and pollution prevention plan (SWPPP) and a soil erosion and sedimentation plan would be developed prior to construction to minimize erosion and identify specific pollution prevention measures that would eliminate or control potential point and nonpoint pollution sources onsite during and following the project construction phase. The SWPPP would identify specific BMPs to be implemented during project construction to avoid causing or contributing to any water quality standard exceedances.
- Removal of riparian vegetation, including tree trimming, would be avoided from March 1 to September 15, to ensure no impacts on least Bell's vireo.

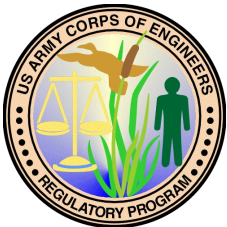
Compensation: Compensatory mitigation for permanent impacts to federally regulated waters would occur through a combination of one or more of the following: onsite enhancement,

reestablishment, and/or creation; payment into an in-lieu fee program (such as the Santa Ana River Watershed ILF) or other approved mitigation provider; or other off-site restoration/mitigation within the Prado Basin. The City proposes to provide compensatory mitigation for the permanent loss of federally jurisdictional non-wetlands at a minimum 2:1 ratio and for federally jurisdictional wetlands at a minimum 3:1 ratio. The City also proposes to compensate for temporary impacts to jurisdictional waters, wetlands, and state streambeds on-site at a 1:1 ratio. The mitigation for CDFW riparian habitat will take into consideration the mitigation proposed for impacts on least Bell's vireo (2:1 ratio). For any areas that are mitigated for with permittee-responsible mitigation, a Habitat Mitigation and Monitoring Plan will be prepared in accordance with requirements of the Corps, RWQCB, and CDFW.

Proposed Special Conditions

No additional Special Conditions are proposed at this time. Special conditions would be added based on public notice comments and environmental considerations.

For additional information please call Vanessa Navarro of my staff at (213) 452-3420 or via e-mail at Vanessa.Navarro@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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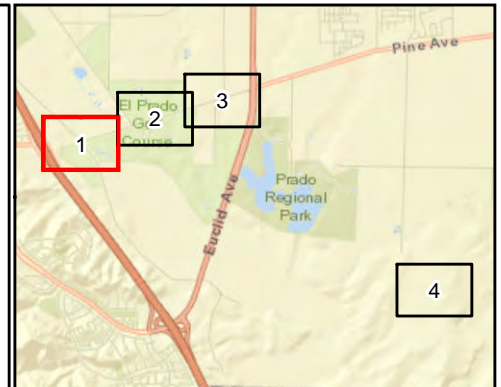
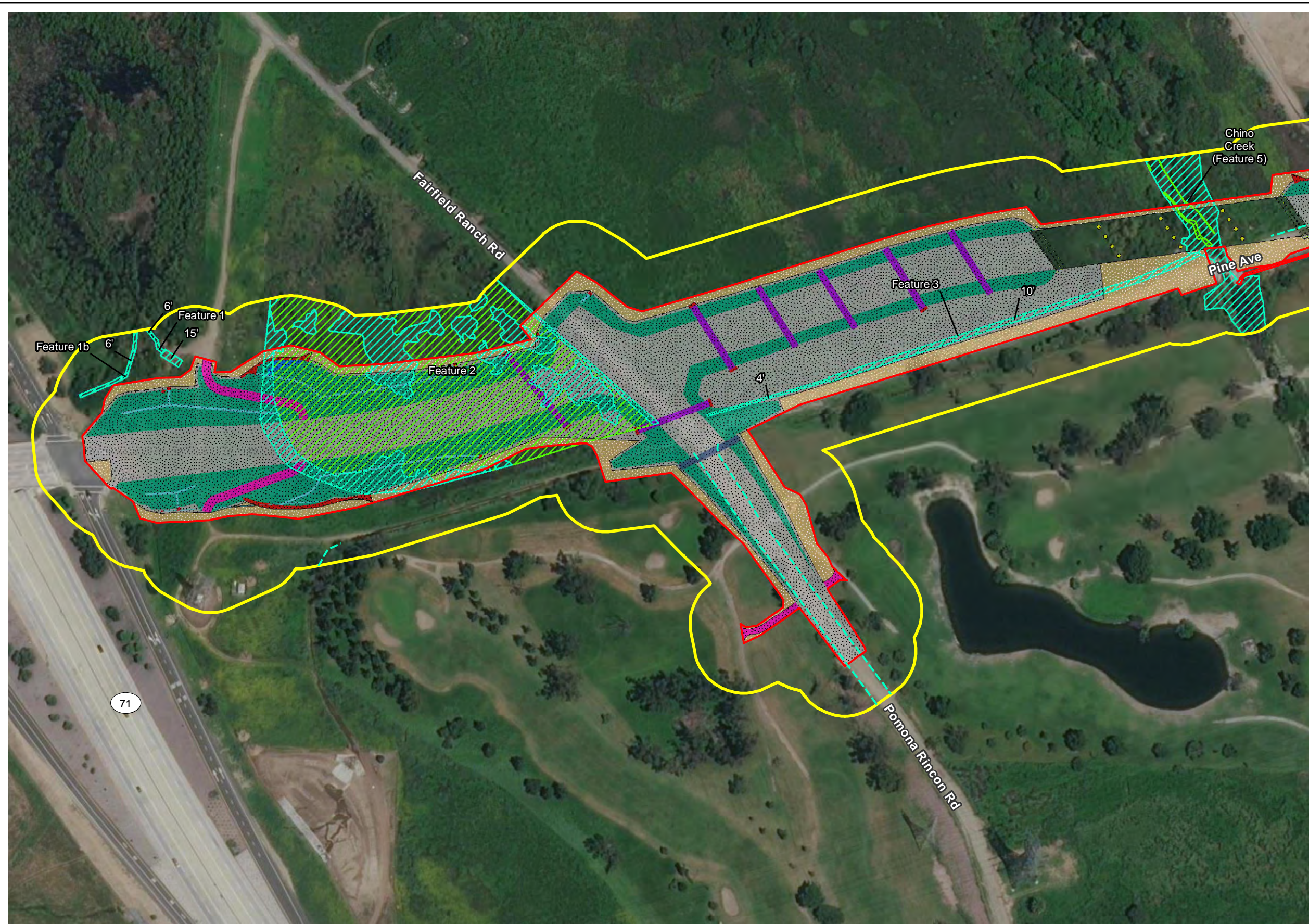


Figure 1
Regional Location Map
Pine Avenue Extension Project



Figure 2
Project Location
Pine Avenue Extension Project

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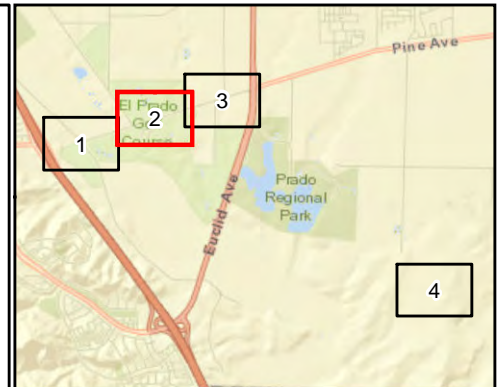
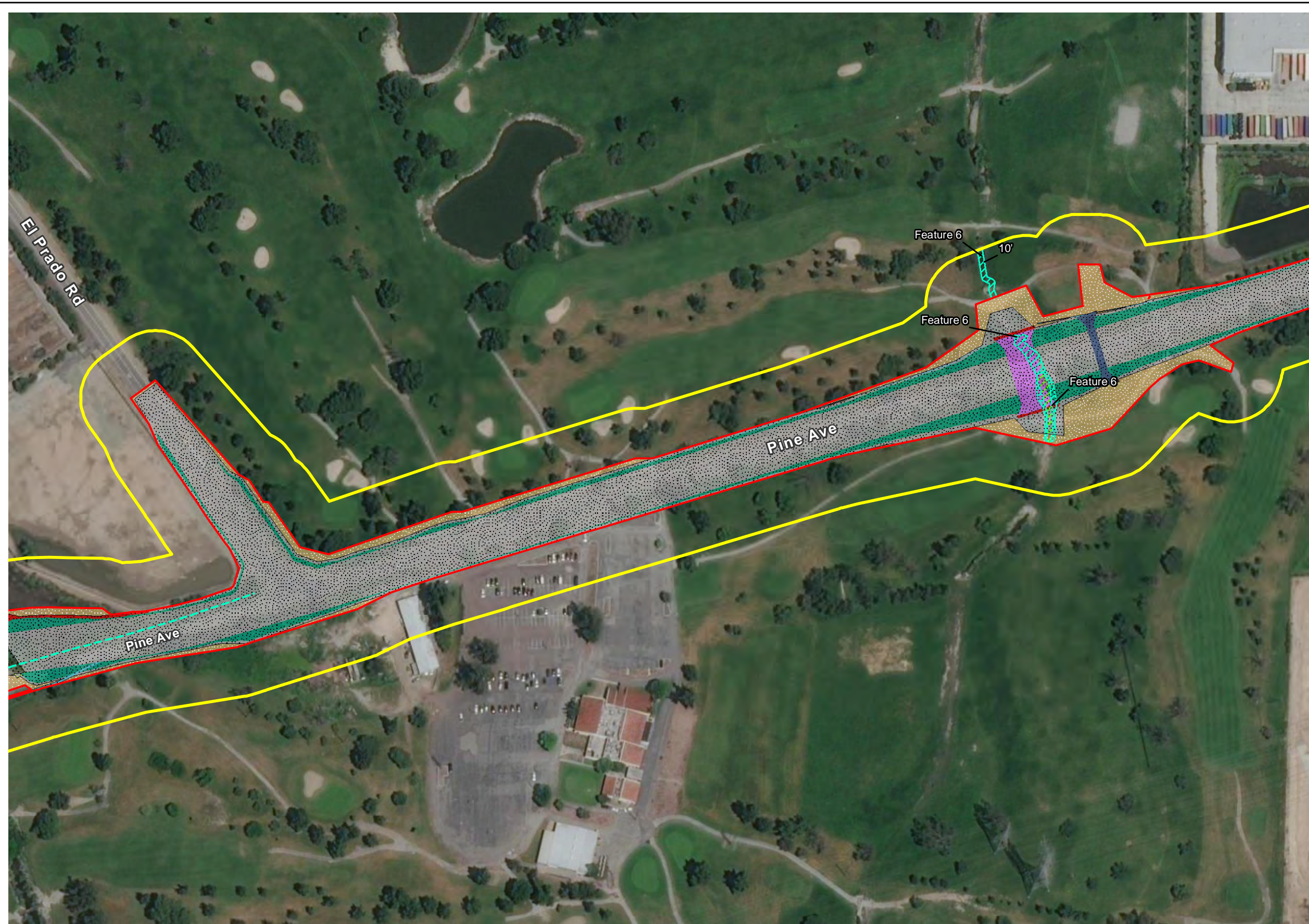


- Legend**
- Jurisdictional Delineation Study Area
 - Limits of Disturbance
 - Permanent Impact
 - Temporary Impact
 - USACE/RWQCB Non-Wetland
 - USACE/RWQCB Wetland
 - Swale
- Impact Feature**
- Access Road
 - Bridge Abutment
 - Bridge Pier
 - Culvert
 - Embankment
 - Golf Cart Crossing
 - Limits of Grading/Curb & Pavement
 - Rip Rap
 - Storm Headwall
 - Swale
 - Temporary Construction Access

Source: ESRI Streetmap

Figure 3 - Sheet 1
USACE/RWQCB Jurisdictional Impacts
Pine Avenue Extension Project

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- Legend**
- Jurisdictional Delineation Study Area
 - Limits of Disturbance
 - Permanent Impact
 - Temporary Impact
 - USACE/RWQCB Non-Wetland
 - USACE/RWQCB Wetland
 - Swale
- Impact Feature**
- 4 Adjacent Culverts
 - Bridge Abutment
 - Embankment
 - Golf Cart Crossing
 - Limits of Grading/Curb & Pavement
 - Rip Rap
 - Swale
 - Temporary Construction Access

Source: ESRI Streetmap

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Figure 3 - Sheet 3
USACE/RWQCB Jurisdictional Impacts
Pine Avenue Extension Project

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Table 1: Proposed Impacts (acres) to USACE and RWQCB Jurisdiction by Project Component, Pine Avenue Extension Project (applicant-preferred alternative) (version 2, updated 01-Feb-21)

Agency Jurisdiction	USACE/RWQCB CWA 404/401 Wetlands (acres) ¹	USACE/RWQCB CWA 404/401 Non- wetland Waters (acres) ²	RWQCB Porter- Cologne Wetlands (acres) ³	RWQCB Porter- Cologne Non- wetland Waters ³ (acres)
Permanent Impacts				
Access Roads	0.032	0.020	---	---
Culverts	0.076	0.057	---	---
Embankments	1.275	0.404	---	---
Grading, curb and pavement	1.261	0.486	---	---
Riprap	0.018	0.006	---	---
Stormwater swales	0.055	0.024	---	---
Concrete headwall	0.019	0.004	---	---
Borrow site	0.184	0.027	---	---
<i>Subtotal</i>	2.920	1.026	---	---
Temporary Impacts				
Construction access	0.259	0.200	---	---
<i>Subtotal</i>	0.259	0.200	---	---
Total	3.180	1.226	---	---

Sources: Pine Avenue Extension Project, 90 percent Plans & Specifications (Huitt-Zollars, January 2021); Jurisdictional Delineation Report (ICF, January 2021); ArcGIS impact analysis (ICF, February 2021).

¹ Permanent impacts to USACE/RWQCB CWA Section 404/401 wetlands include feature 2 (western basin), feature 6 (Cypress Channel), and feature 8 (wetlands associated with unnamed drainage at borrow site). See Table 2 for permanent and temporary impacts by jurisdictional aquatic feature.

² Permanent impacts to USACE/RWQCB CWA Section 404/401 non-wetland waters include feature 2 (western basin), feature 3 (unnamed drainage), feature 5 (Chino Creek), feature 6 (Cypress Channel), and feature 8 (unnamed drainage at borrow site). See Table 2 for permanent and temporary impacts by jurisdictional aquatic feature.

³ RWQCB Porter-Cologne non-wetland waters consist of ephemeral, unnamed drainages constructed in uplands that are not expected to fall Under Clean Water Act Section 404/401 jurisdiction pursuant to the Navigable Waters Protection Rule (USACE-USEPA, 2020), pending verification of Approved Jurisdictional Determination (AJD) by USACE. No impacts to RWQCB Porter-Cologne wetland or non-wetland waters are expected under the proposed project.

--- represents null value (zero)

Table 2: Proposed Impacts (acres) to USACE and RWQCB Jurisdiction by Aquatic Feature, Pine Avenue Extension Project (applicant-preferred alternative) (version 2, updated 01-Feb-21)

Agency Jurisdiction	USACE/RWQCB CWA 404/401 Wetlands (acres)	USACE/RWQCB CWA 404/401 Non- wetland Waters (acres)	RWQCB Porter- Cologne Wetlands (acres)	RWQCB Porter- Cologne Non- wetland Waters ¹ (acres)
Permanent Impacts				
Access Roads				
<i>Feature 2</i>	0.032	0.020	---	---
Culverts				
<i>Feature 2</i>	0.056	0.010	---	---



<i>Feature 6</i>	0.020	0.047	---	---
Embankments				
<i>Feature 2</i>	1.272	0.391	---	---
<i>Feature 3</i>	---	0.007	---	---
<i>Feature 6</i>	0.003	0.006	---	---
Grading, curb and pavement				
<i>Feature 2</i>	1.245	0.314	---	---
<i>Feature 3</i>	---	0.149	---	---
<i>Feature 6</i>	0.016	0.023	---	---
Riprap				
<i>Feature 2</i>	0.017	0.004	---	---
<i>Feature 6</i>	0.001	0.002	---	---
Stormwater swales				
<i>Feature 2</i>	0.055	0.022	---	---
<i>Feature 5</i>	---	0.002	---	---
Concrete Headwall				
<i>Feature 2</i>	0.019	0.004	---	---
Borrow site				
<i>Feature 8</i>	0.184	0.027	---	---
<i>Subtotal</i>	2.920	1.026	---	---
Temporary Impacts				
Construction access				
<i>Feature 2</i>	0.255	0.129	---	---
<i>Feature 3</i>	---	0.047	---	---
<i>Feature 5</i>	0.001	0.022	---	---
<i>Feature 6</i>	0.003	0.003	---	---
<i>Subtotal</i>	0.259	0.200	---	---
Total	3.180	1.226	---	---

Sources: Pine Avenue Extension Project, 90 percent Plans & Specifications (Huitt-Zollars, January 2021); Jurisdictional Delineation Report (ICF, January 2021); ArcGIS impact analysis (ICF, February 2021).

¹ RWQCB Porter-Cologne non-wetland waters consist of ephemeral, unnamed drainages constructed in uplands that are not expected to fall Under Clean Water Act Section 404/401 jurisdiction pursuant to the Navigable Waters Protection Rule (USACE-USEPA, 2020), pending verification of Approved Jurisdictional Determination (AJD) by USACE. No impacts to RWQCB Porter-Cologne wetland or non-wetland waters are expected under the proposed project.

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Table 3: Proposed Impacts (linear feet) to USACE and RWQCB Jurisdiction by Aquatic Feature, Pine Avenue Extension Project (applicant-preferred alternative) (version 2, updated 01-Feb-21)

Agency Jurisdiction	USACE/RWQCB CWA 404/401 Wetlands (linear feet)	USACE/RWQCB CWA 404/401 Non- wetland Waters (linear feet)	RWQCB Porter- Cologne Wetlands (linear feet)¹	RWQCB Porter- Cologne Non- wetland Waters¹ (linear feet)
Permanent Impacts				
<i>Feature 2</i>	584	153	---	---
<i>Feature 3</i>	---	830	---	---



<i>Feature 5</i>	84	7		
<i>Feature 6</i>	125	88	---	---
<i>Feature 8</i>	333	373	---	---
<i>Subtotal</i>	1,126	1,451	---	---
Temporary Impacts				
<i>Feature 3</i>	---	207	---	---
<i>Feature 5</i>	15	---	---	---
<i>Feature 6</i>	15	---	---	---
<i>Subtotal</i>	30	207	---	---
Total	1,157	1,658	---	---

Sources: Pine Avenue Extension Project, 90 percent Plans & Specifications (Huitt-Zollars, January 2021); Jurisdictional Delineation Report (ICF, January 2021); ArcGIS impact analysis (ICF, February 2021).

¹ RWQCB Porter-Cologne non-wetland waters consist of ephemeral, unnamed drainages constructed in uplands that are not expected to fall Under Clean Water Act Section 404/401 jurisdiction pursuant to the Navigable Waters Protection Rule (USACE-USEPA, 2020), pending verification of Approved Jurisdictional Determination (AJD) by USACE. No impacts to RWQCB Porter-Cologne wetland or non-wetland waters are expected under the proposed project.

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