



PUBLIC NOTICE

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

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**RECEIPT OF APPLICATION FOR A CORPS PERMIT,
NOTICE OF INTENT TO PREPARE A DRAFT EIS
AND HOLD A PUBLIC SCOPING MEETING**

Public Notice/Application No.: SPL-2014-00238-RJV

Project: Thousand Palms Flood Control Project

Comment Period: May 2, 2014 – June 23, 2014 (45 days)

Project Manager: R.J. Van Sant, 760-602-4837, Richard.J.Vansant@usace.army.mil

Applicant

Dan Charlton
Coachella Valley Water District
75-515 East Hovley Lane
Palm Desert, CA 92211
(760) 398-2651

Contact

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Location

The proposed project is located along an approximately 7 mile long linear footprint within the Thousand Palms area of Riverside County, California (approximate Latitude/Longitude at center of project is 33°48'8.23"N, 116°21'17.50"W).

Activity

Coachella Valley Water District (CVWD) proposes to construct an approximately 6.97 mile long levee and channel, and associated energy dissipater, and two road crossings north of Interstate 10 (I-10) for the purposes of flood control. For more information see page 4 of this notice.

Interested parties are hereby notified that 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 U.S. Army Corps of Engineers - Regulatory Division (Corps), you provide information that support 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:

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Division, Carlsbad Field Office
Attn: SPL-2014-00238-RJV
5900 La Place Court, Suite 100
Carlsbad, CA 92008

Alternatively, comments can be sent electronically to: Richard.J.Vansant@usace.army.mil

The mission of the Corps 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 U.S. 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 Environmental Protection Agency Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps 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 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 (EIS) pursuant to the National Environmental Policy Act (NEPA). 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 determination has been made that an EIS is required for the proposed activity, based on the Corps' independent determination that the proposed action could potentially result in significant impacts. It is expected that a Draft EIS will be prepared and published at the end of 2014.

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 that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. EPA.

Coastal Zone Management - This project is located outside the coastal zone and preliminary review indicates that 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.

Essential Fish Habitat - Preliminary determinations indicate the proposed activity would not adversely affect essential Fish Habitat. Therefore, formal consultation under Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) is not required at this time.

Cultural Resources - Consultation with the State Historic Preservation Officer, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, will occur for any anticipated effects of the proposed activity on cultural resources eligible for listing or listed on the National Register of Historic Places. The Corps will also coordinate and/or consult with the applicable Tribes that may be affected by or have interest in the proposed project.

Endangered Species - Preliminary determinations indicate that the proposed activities would affect federally listed endangered or threatened species, or their critical habitat. Federally listed species known or having high potential to occur onsite, based on previous survey results, include Casey's June beetle (*Dinocoma caseyi*), desert tortoise (*Gopherus agassizii*), Coachella Valley fringe-toed lizard (*Uma inornata*), Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*) and triple-ribbed milk-vetch (*Astragalus tricarinatus*). Additional on-site surveys for federally listed species are being conducted at this time to provide current information. Therefore, formal consultation under Section 7 of the Endangered Species Act is expected.

Public Meeting - The Corps is holding a public scoping meeting to solicit input from the public about the proposed preparation of a Draft EIS. The meeting will be held on **May 6, 2014, beginning at 6:00 PM (PST)** at the following location:

Thousand Palms Community Center
31-189 Roberts Road
Thousand Palms, CA 92276

During the public scoping meeting, anyone wishing to make a statement will be allocated 2-4 minutes to provide information on the proposed project. We would like to encourage interest groups to designate an official spokesperson to present the group's views. We will allocate a larger amount of time to official representatives of such groups upon request. Groups wishing to designate an official representative must notify the Corps in writing (e-mail is preferred) prior to, but no later than,

May 2, 2014. The determination of this extended speaking time will be based on the number of responses received by the Corps. This rule will be strictly enforced at the discretion of the Corps' hearing officer. The meeting room has been reserved until **9:00 PM PST**, but the meeting will end sooner if public comments end prior to this time.

The public scoping meeting will provide one opportunity for the public to provide comments on the proposal that will be entered into the administrative record. In addition, the Corps will be receiving written comments into the record from anyone who wishes to provide them until **June 23, 2014** (i.e., the close of the comment period for this public notice).

The Corps also anticipates holding a public meeting to obtain input on the Draft EIS when it becomes available and is circulated to the public (expected at the end of 2014).

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). The basic project purpose is flood control. 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 provide flood protection of the FEMA-designated Flood Hazard Area of Thousand Palms. The overall project purpose may be further refined during the 404(b)(1) alternatives analysis and NEPA process.

Additional Project Information

Baseline Information - The proposed project is located in the Thousand Palms area of the Coachella Valley, within the southeastern portion of Riverside County between the Indio Hills and Interstate 10. The unincorporated community of Thousand Palms, located south and west of the project footprint, is roughly 10 miles east of the City of Palm Springs and immediately north of the City of Palm Desert. The proposed project consists of a series of flood control improvements to minimize flooding hazards for developed areas in Thousand Palms and the vicinity. The project is also designed to support continued aeolian (wind-driven) transport of sand to the Coachella Valley Preserve, where it forms habitat for the federally listed as threatened Coachella Valley Fringe-Toed lizard (*Uma inornata*). The project area currently supports several vegetation communities, including: creosote bush scrub (933.2 acres), creosote hummocks (525.8 acres), active sand dune (37.5 acres), stabilized sand field (94.3 acres), cheesebush scrub (169.9 acres), Asian mustard stand (61.2 acres), abandoned agriculture (7.6 acres), and disturbed/developed (1,212.7 acres).

A previous Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was published for this project, under the title "Whitewater River Basin Flood Control Project", with the Planning Division of the Corps functioning as the Federal lead agency under NEPA and the CVWD functioning as the state lead agency under CEQA. A Preferred Alternative was selected and approved, though the action was never implemented. A subsequent 2011 Supplemental Environmental Assessment/Mitigation Negative Declaration (SEA/MND) analysis was initiated to account for development which had occurred in the project area after the 2000 EIS/EIR and Preferred

Alternative approval, as well as other modifications and land use changes. Due to federal funding restrictions, the 2011 SEA/MND was never finalized and remained in the “Preliminary Draft” phase, considered an internal document. Therefore, the current EIS/EIR process is a stand-alone document and new analysis.

Project Description - CVWD proposes to construct a flood control project which is linear in nature, consists of four reaches, and is generally located on the northern and eastern margins of the community of Thousand Palms. Components of the project include levees, channels, and energy dissipating structures. The levees and channels would be comprised of soil cement, and the upslope sides of each levee would be armored with soil cement (see attached figures).

Reach 1 of the proposed project is comprised of a 12,667-foot-long (2.4 miles) levee (Levee 1) and an access road at Via Las Palmas. Levee 1 would have a height of approximately 11.5 feet on the upstream end, increasing to approximately 14 feet on the downstream end, in order to ensure capacity for flow volume and velocity associated with the 100-year storm event. Levee 1 would initiate within roughly 0.1 mile to the east of the intersection of Vista Chino (Avenue 28) and Rio del Sol, on the south side of Vista Chino, and then extend in an east-southeasterly direction. The levee would generally run parallel to the north of Southern California Edison’s (SCE) existing utility corridor. Continuing in a southeasterly direction, Levee 1 would cross over Sierra del Sol and Desert Moon Drive. Water and sediment from the Indio Hills would flow naturally toward Reach 1 and be diverted to the 550-acre floodway in the wind corridor.

Reach 2 of the proposed project is comprised of a 1,747-foot-long (0.33 mile) levee (Levee 2) with a height of approximately 14 feet, similar to Levee 1. Downstream of the floodway that will extend below Reach 1, overland flow would be intercepted by Reach 2 and continue in a southeastern direction, along the western border of the Coachella Valley Preserve. Levee 2 is positioned in the mid-alluvial fan area just northeast of an existing electrical substation, to protect the substation and adjacent development. This levee is aligned in the direction of the prevailing wind to avoid interference with Aeolian transport in this area. Overland flow diverted by Levee 2 would continue southeast, towards Reach 3.

Reach 3 of the proposed project is comprised of a 6,498-foot-long (1.23 mile) levee (Levee 3), an access road, and a 5,314-foot-long (1.01 mile) incised channel (Reach 3 Channel). Levee 3 would have a height of approximately 14 feet at the upstream end, consistent with Levees 1 and 2, increasing to approximately 18 feet at the downstream end, in order to accommodate flow volume and velocity associated with the 100-year storm event. Levee 3 would initiate approximately 2,000 feet southwest of the downstream end of Levee 2, roughly 1,000 feet south of Ramon Road. Levee 3 would run parallel to the north of Cook Avenue, at which point it would transition to an incised channel design. The transition to a channel is intended to minimize land use conflicts while maintaining the project objectives of providing flood control while avoiding disruption to aeolian patterns. The Reach 3 Channel would divert flows from Levee 3 towards the Classic Club Golf Course. A portion of the Reach 3 Channel would traverse athletic facilities in the northeast portion of the Xavier High School property, then turn towards the south to follow the school’s eastern border before turning to the east and terminating at the Classic Club Golf Course. The Reach 3 Channel would be supplemented with a five-foot-tall embankment on the west side, and lined with either concrete or soil cement. Existing stormwater drainage features through the Classic Club Golf Course are sufficient to provide transport of the flows through the golf course property. The proposed project would not directly alter the Classic Club Golf Course. A 15-foot wide access road would be installed adjacent to the north (east) of Levee 3 and the Reach 3 Channel for operation and maintenance purposes.

Reach 4 of the proposed project is comprised of an approximately 10,560-foot-long (two-mile) incised channel (Reach 4 Channel). The Reach 4 Channel would divert stormwater flows from the southeast end of the Classic Club Golf Course and continue south then east, north of Avenue 38 (to be re-aligned) and Interstate 10, and adjacent to the south of Avenue 38, which will be realigned to the north of the project alignment, and would terminate at Washington Street in the community of Macomber Palms.

The project study area contains approximately 31.55 acres of non-wetland waters of the U.S. (dry, ephemeral wash) and the project would result in the direct impact to 1.58 acres (0.93 miles), the temporary impact to 8.71 acres (5.54 miles), and a hydrologic severance to 21.23 acres (15.08 miles) of non-wetland waters of the U.S. through construction of the flood walls, channels, energy dissipater, and access roads. The hydrologic severance impact would result from cutting off the dry washes south of the levees and channels from storm flows.

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: Impacts to aeolian (wind-driven) transport of sand has been minimized through placement of the levees in the general direction of wind patterns and sand transport, as opposed to perpendicular, and the proposed on-going removal of sand against the levees and in the channels and placement back within the open space desert areas. Further avoidance and minimization measures may be incorporated into the project during the development of the NEPA document and 404(b)(1) alternatives analysis.

Compensation: Details of compensatory mitigation have not yet been determined.

Proposed Special Conditions

Special Conditions have not yet been proposed for the project.

For additional information please contact R.J. Van Sant of my staff at 760-602-4837 or via e-mail at Richard.J.Vansant@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.

U.S. ARMY CORPS OF ENGINEERS

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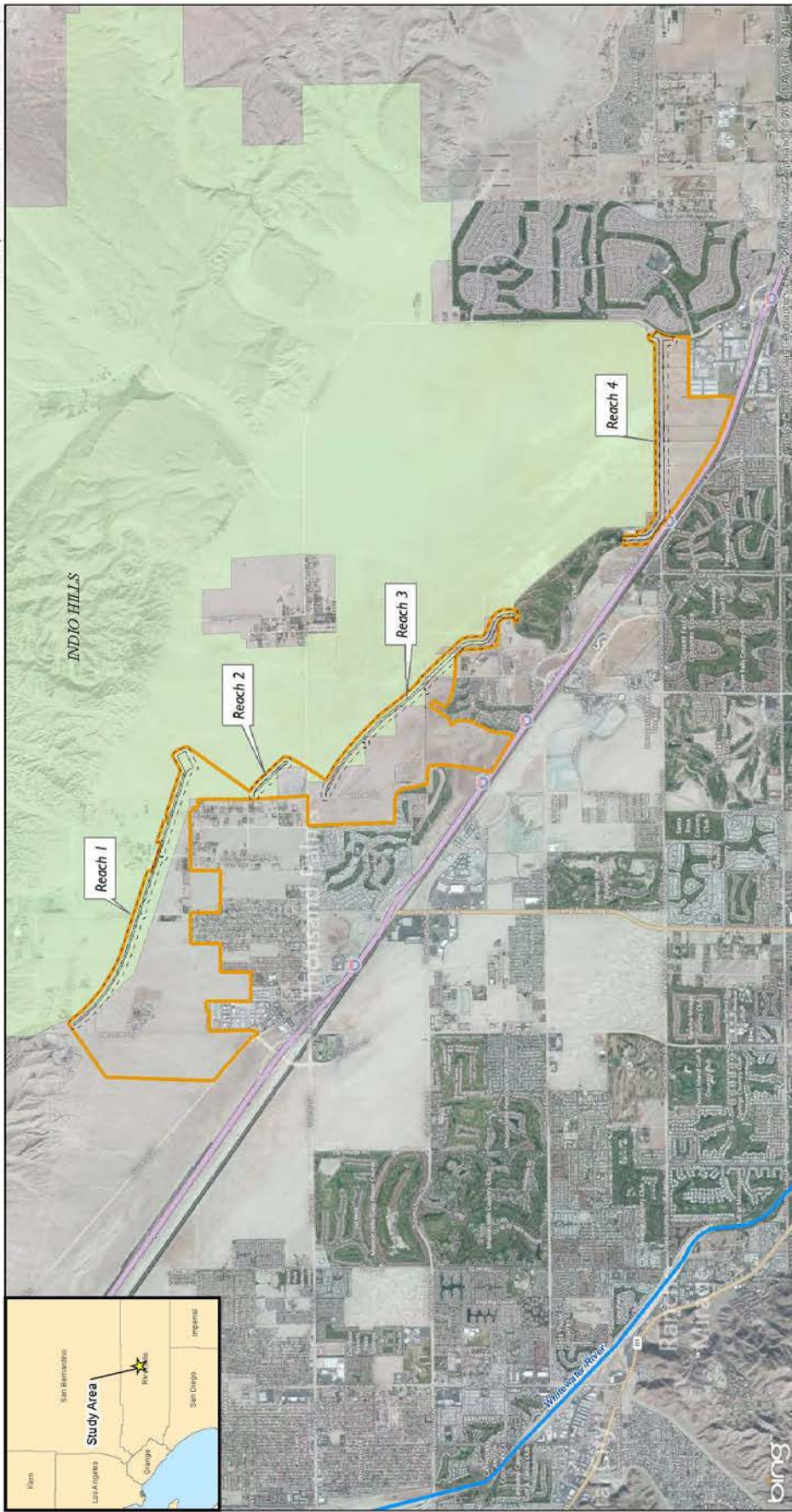
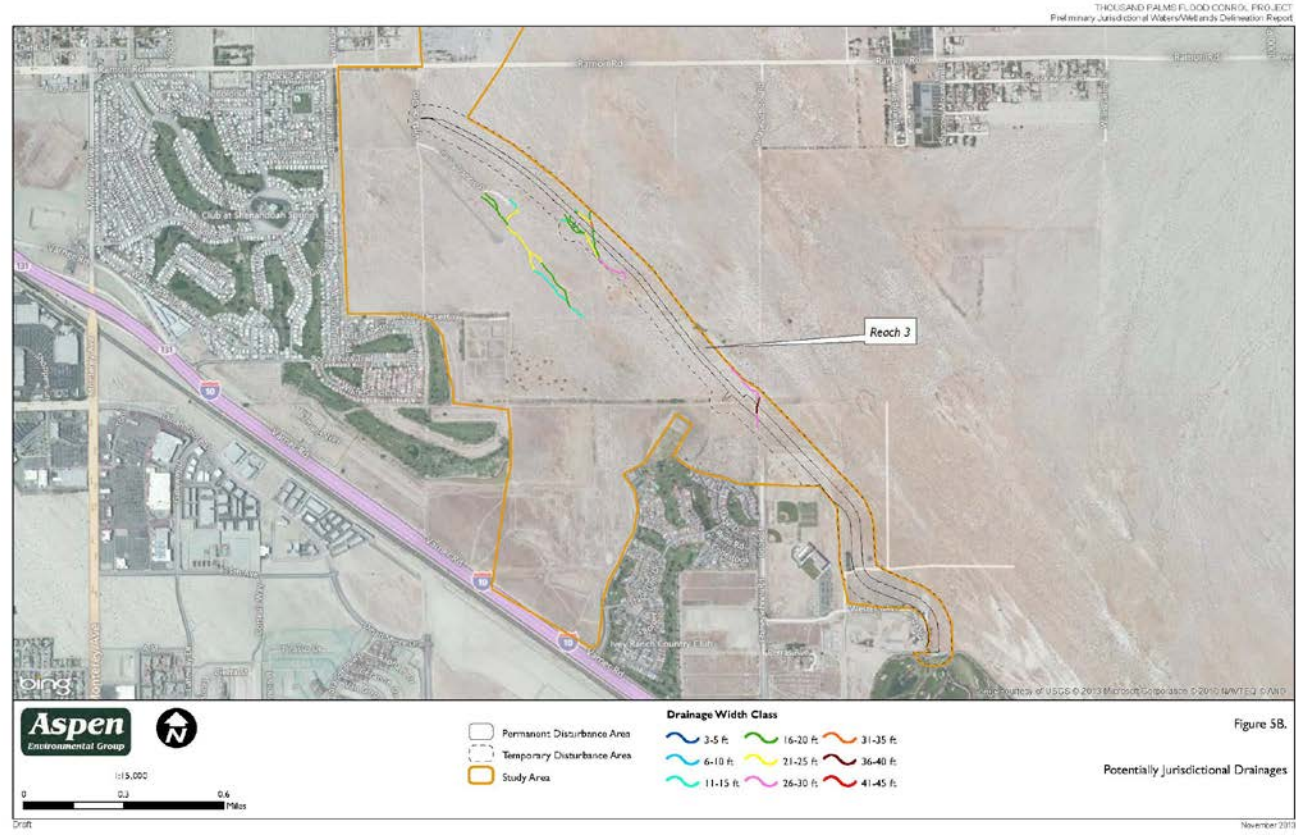
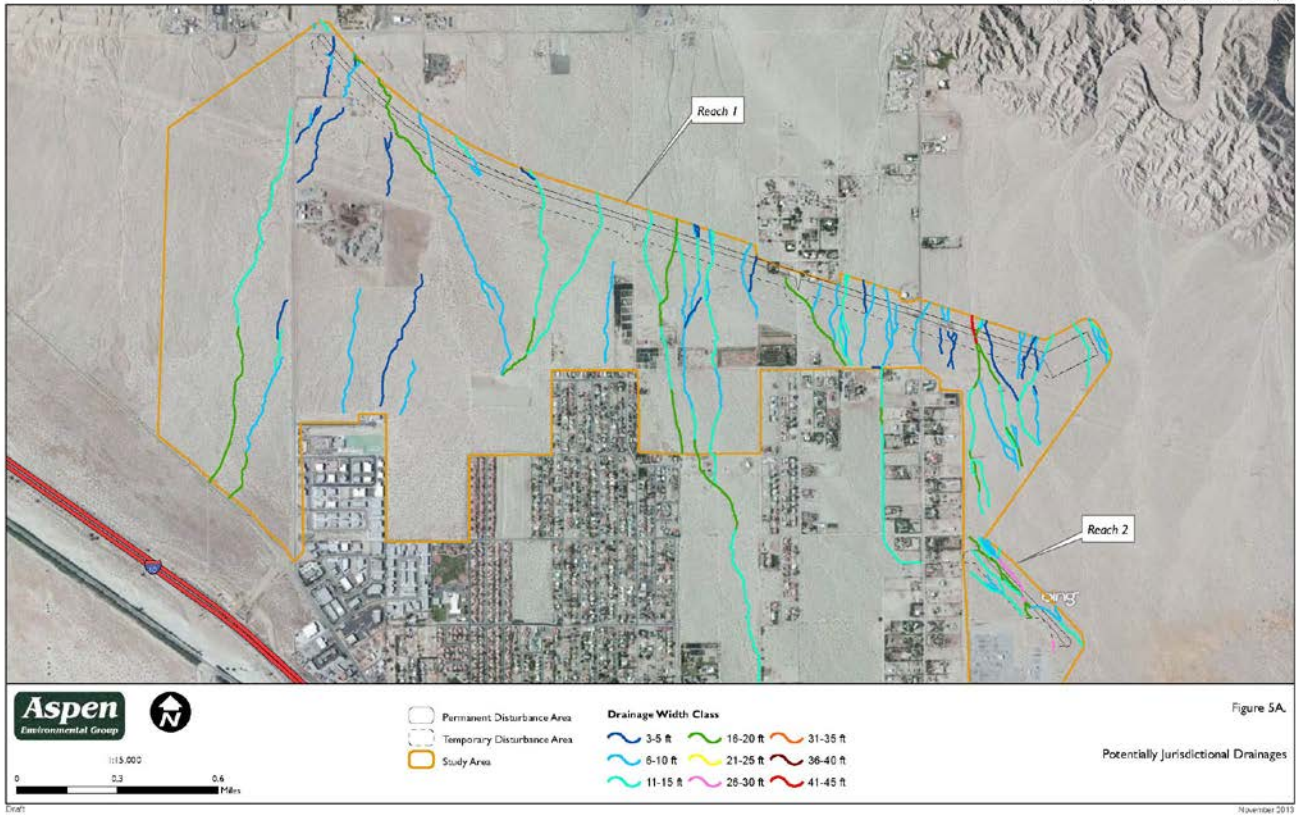


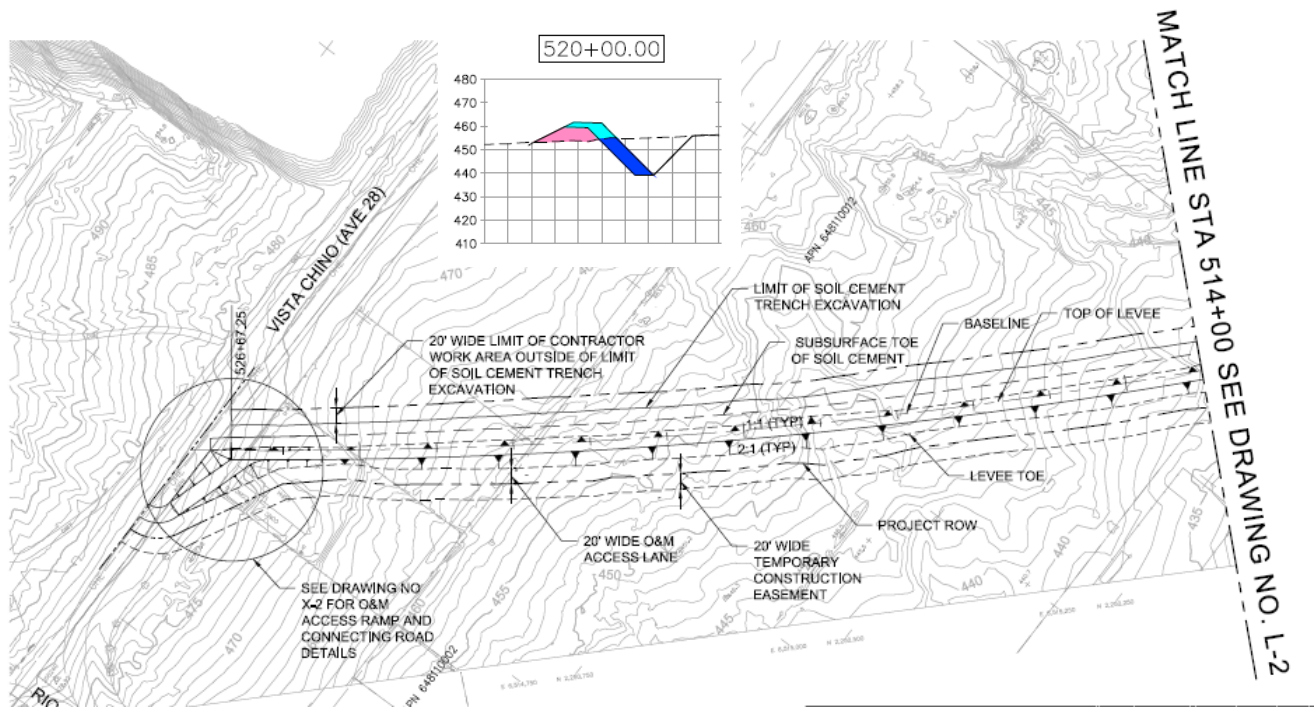
Figure 1.

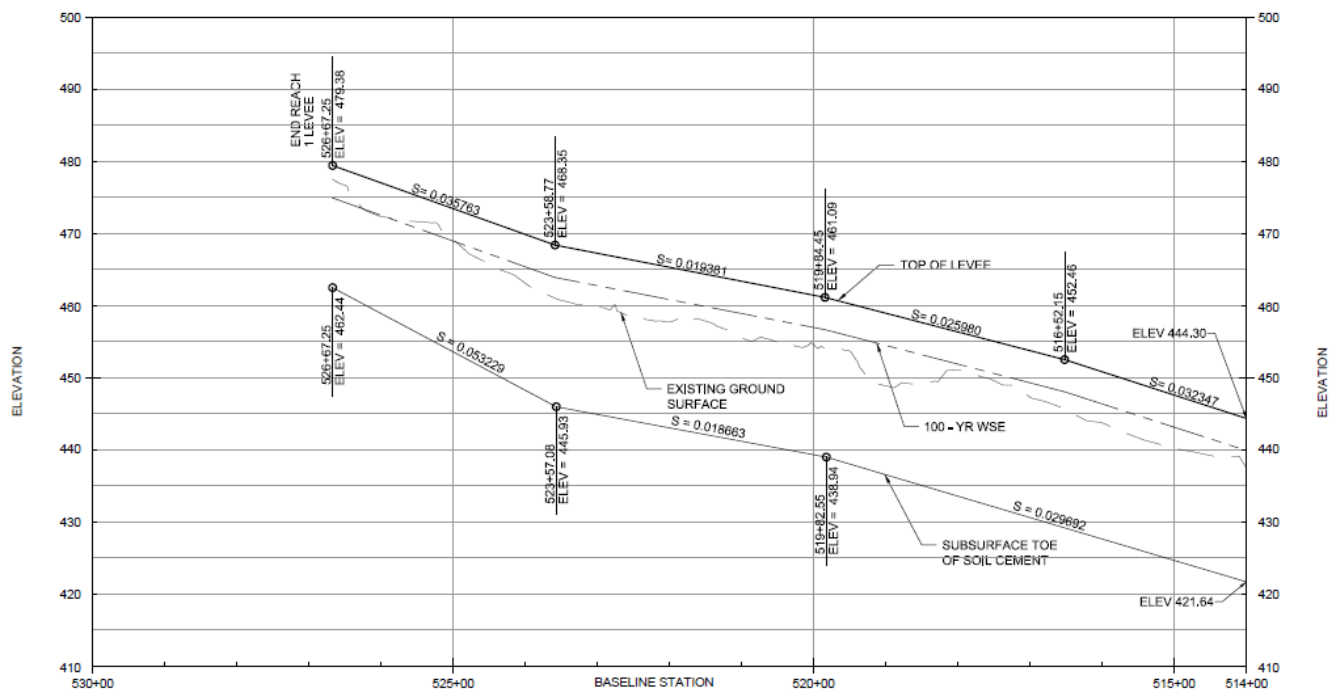
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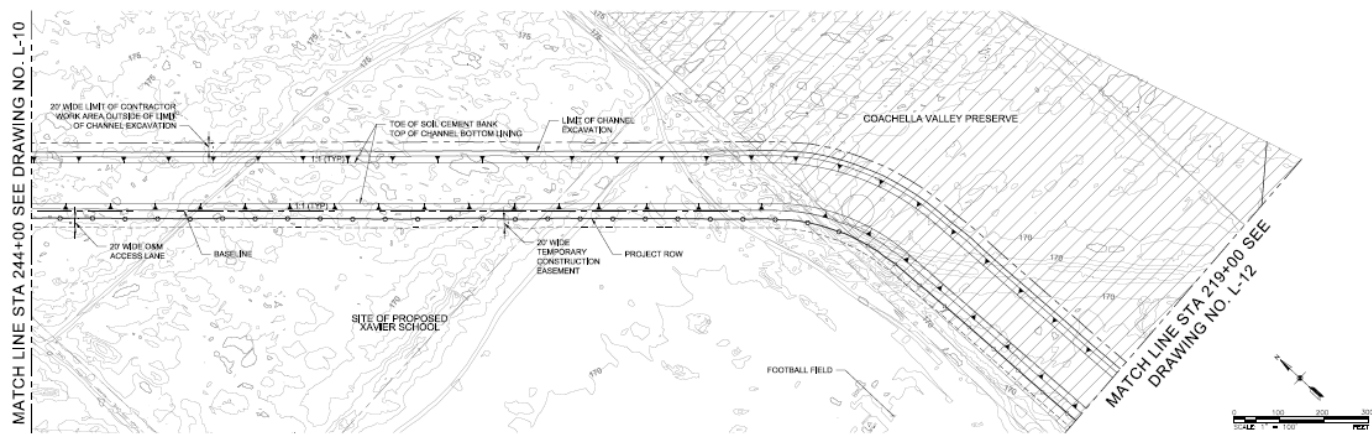


Sample plan-view, profile, and cross section of levee





Sample plan view and cross section of channel



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