PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR PERMIT
Devil's Gate Reservoir Sediment Removal and Management Project

Public Notice/Application No.: SPL-2014-00591-BLR
Project: Devil's Gate Reservoir Sediment Removal and Management Project
Comment Period: May 14, 2015 through June 18, 2015
Project Manager: Bonnie Rogers; 213-452-3372; Bonnie.L.Rogers@usace.army.mil

Applicant
Christopher Stone
Los Angeles County Flood Control District
P.O. Box 1460
Alhambra, California 91802-1460

Contact
Kenneth Zimmer
Los Angeles County Flood Control District
P.O. Box 1460,
Alhambra, California 91802-1460

Location
Los Angeles County Department of Public Works Devil's Gate Reservoir within the City of Pasadena, Los Angeles County, California (at: 34.185747 latitude and -118.175487 longitude) at 1065 La Canada Verdugo Road, Pasadena, Los Angeles County, California, 91103 (see figure).

Activity
The Los Angeles County Flood Control District (LACFCD) proposes to excavate 2.4 million cubic yards of sediment (inclusive of vegetation) that has accumulated behind the dam within Devil's Gate Reservoir, to restore reservoir capacity for storm and sediment inflows to minimize the level of flood risk to downstream communities along the Arroyo Seco waterway. The activities would result in temporary discharges of fill within waters of the United States through periodic excavation of accumulated sediment and removal of riparian vegetation. Activities would be conducted within an approximately 71 acre footprint, of which approximately 38 acres would directly impact waters of the United States (10.8 acres of wetland, and 27 acres of non-wetland)(see attached drawings). The proposed maintenance baseline would be maintained by future sediment excavation activities. For more information see page 3 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 Corps Regulatory Division, 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:

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Bonnie Rogers, SPL-2014-00591
LOS ANGELES DISTRICT CORPS OF ENGINEERS
915 Wilshire Blvd. Ste 930
LOS ANGELES, CALIFORNIA 90017

Alternatively, comments may be sent electronically to: Bonnie.L.Rogers@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 that 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 that 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 therefore 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 would be 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 may affect but would not likely adversely affect a federally-listed endangered or threatened species, specifically least Bell's vireo (*Vireo bellii pusillus*), and would result in no effect to critical habitat. The Corps initiated informal consultation on April 03, 2015 under Section 7 of the Endangered Species Act, and consultation is pending.

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). The basic project purpose for the proposed project is flood risk management. 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 for the proposed project is to restore water and debris holding capacity of approximately 2.4 million cubic yards within Devil's Gate Reservoir (total as-built holding capacity allows approximately 10 million cubic yards), to protect life and property.

Additional Project Information

Baseline information-

The total Devil's Gate reservoir is approximately 258 acres and there are approximately 37.8 acres, wetland (10.8 acres) and non-wetland (27 acres), waters of the United States within the project area.

The last cleanout project at Devil's Gate Reservoir, the Interim Measures Project, was conducted between September 15 and October 6, 2014 under Corps permit number SPL-2011-00516-BLR, whereby approximately 600 cubic yards of sediment was excavated at the upstream face of the dam.

Historically, as storm events have deposited sediment in the reservoir, native and non-native vegetation have become established in the sediment. During subsequent storm events some of the vegetation and trees have been washed out by storm flows or submerged when the reservoir level rises, or have been buried by sedimentation. In most years water flows at least 3 months during the year and therefore is at least intermittent. At times, the groundwater level, as indicated by wells, reaches the streambed elevation. Mature willow trees (primarily black willow), Riversidean Alluvial Fan Sage Scrub, Mulefat Scrub, and other riparian vegetation have grown in the reservoir to the extent that dense undisturbed stands are on site. In particular Alluvial Fan Sage is an increasingly rare habitat but persists in the northernmost portion of the site within the proposed impact area and within the braided channel.

The original baseline as denoted by the Los Angeles County Flood Control District is designated by the 1919 easement as a capacity of 6,500 acre-feet (10,486,727 cubic yards) ranging from the lowest outlet gate elevation of 986 feet the up to the top of the dam easement boundary at elevation 1075 feet (258 acres). The proposed excavation footprint and specified maintenance area design plan would become the new baseline by which sediment could be excavated in the future.

Project description-

The project excavation activities proposes to remove approximately 2.4 million CY of accumulated sediment in Devil's Gate Reservoir in addition to additional sediment received each year during the project. The proposed project excavation limits and reservoir configuration are designed to avoid many on-site habitat and recreational areas (see attached Work Plan Map). Discharge of fill material associated with removal of vegetation and sediment would result in temporary impacts to approximately 27 acres of non-wetland waters of the United States, and approximately 10.8 acres of wetland waters of the United States. The total impacts to waters of the United States would be 37.8 acres. The proposed project would not result in a loss of waters of the United States, however, there

would be a permanent loss of aquatic resource functions due to proposed frequent maintenance in order to retain flood storage capacity according to the authorized maintenance baseline.

The basin would be excavated to an elevation of approximately 985 feet above mean sea level at the face of the dam. From the dam face the elevation would slope up to 995 feet, gradually to 1,040 feet where the flow is most constricted, then up to 1,060 feet, and finally to 1,065 feet approximately 4,700 feet at the northern-most upstream end of the reservoir. The final configuration would involve approximately 71 acres of the reservoir as shown on proposed contours, profile, and cross sections (see attached figure). The non-wetland waters of the United States consist of riparian woodland, ruderal vegetation, ornamental vegetation, mulefat, and coastal sage scrub. The proposed project would include the removal of stockpiled sediment that was placed at the adjacent Johnson Field site located near the City of Pasadena's spreading grounds during the previous years' Interim Measures Projects. Excavation would not involve the Oak Grove area of Hahamongna Park, the area of the reservoir outside the excavation limits shown in Attachment F, or the City of Pasadena's spreading grounds on the east side of the basin. Devil's Gate is typically opened to allow draining after storm events therefore dewatering is not expected to be needed during construction. However, a dewatering plan to direct the low-flow channel would be provided to the Corps for the case when incoming flow may be present during construction (between April and December).

In order to excavate sediment from the reservoir, trees and vegetation growing within the excavation area or where haul roads are located would be removed. In the areas where excavation would not take place, including the western side of the reservoir (Oak Grove area), vegetation would not be removed, thereby avoiding approximately 187 acres of the total reservoir and approximately 49 acres of habitat. To facilitate storm flows, a slightly steeper gradient would be used in the constricted area of the basin.

The accumulated sediment would be excavated within the proposed limits (see attached figure). Construction equipment would include approximately four front loaders with 4-yard buckets, two bulldozers, one excavator, one grader, one water truck, and two tender trucks. Vegetation and organic debris would be separated from the sediment. Coarse material may need to be processed through the sorters and crushers to be hauled offsite using trucks. Depending on the moisture content of the sediment removed, the sediment may need to be stockpiled to allow it to dry. If drying is required, sediment would be stockpiled onsite within the excavation limits in the reservoir. The excavated sediment would be trucked off-site to existing upland disposal site locations which are currently available to accept the sediment. Trucks would travel and place sediment at one of the following disposal site locations: the Waste Management Facility in Azusa, the Vulcan Materials Reliance Facility in Irwindale, the Durbin Sand and Gravel Facility in Irwindale, the Manning Pit Sediment Placement Site (SPS) in Irwindale, School Canyon, or facilities in Sun Valley (Sheldon Pit, Sun Valley Fill Site, Bradley Landfill, Boulevard Pit, and Sunshine Canyon Landfill).

Trucks would enter the reservoir via the upgraded reservoir access road located on the east side of the reservoir. After rehabilitation and minor improvements to the existing west side reservoir access road, trucks would exit the reservoir via this road. As part of the Project, the existing western access road and the upgraded eastern access road would be improved with new ramps to allow for truck traffic in and out of the reservoir. Both the eastern and western access roads would allow for one-way truck traffic. The eastern access road would now allow for traffic to enter the reservoir directly from Oak Grove Drive as opposed to using La Cañada Verdugo Road. The existing western access road is currently unpaved, and the portion of this access road from below the bike path to the reservoir would be widened but remain unpaved. The portion of this access road from Oak Grove Drive to the West

Rim Trail bike path would need to be widened and paved. Empty trucks would be staged within the Project site.

The trucks expected to be used for sediment transport are double dump trucks, each with an estimated capacity of 18 cubic yards of sediment. The trucks are anticipated to haul up to an estimated 7,650 CY per day. Removal of sediment, vegetation, trees, and organic debris is expected to require an average of 50 truck round trips per hour, with an estimated maximum of 425 truck round trips per day during excavation activities. Using the proposed haul route, trucks would access the project site from I-210 by exiting at Windsor Avenue/Arroyo Boulevard, turning north at Windsor Avenue, turning left onto northbound Oak Grove Drive, and then entering the eastern reservoir access road. Loaded trucks would exit the reservoir on the existing access road, turning right onto northbound Oak Grove Drive, then left onto westbound Berkshire Place, and then to I-210 eastbound to disposal sites in Azusa and Irwindale or to I-210 westbound to disposal sites in Sun Valley. Removal. Sediment removal would occur between fall 2015 and fall 2020. Excavation and associated activities within the reservoir area are expected to take place during drier months, between April 15 to October 15 and possibly through December if there is a late wet season and a dry fall. Activities would take place Monday through Friday from 7:00 a.m. to 3:30 p.m.

The reservoir management and maintenance phase of the Project would start after the completion of the main sediment removal phase. The Project would result in a reservoir configuration and access to facilitate future routine annual management and sediment removal. After the initial proposed sediment removal activities, the reservoir would be managed through vegetation maintenance, sediment excavation/trucking offsite, and Flow-Assisted Sediment Transport (FAST) operations. FAST is used during rain events (during the winter), whereby the dam gate is opened, and natural water flow pushes fine grain size sediment through the reservoir and downstream of the dam. It is estimated that an average of 13,000 CY of sediment would potentially be deposited in the reservoir annually after completion of the Project. A maintenance regime that relies on the FAST approach would greatly reduce the need for and extend the life of future and existing sediment placement sites and improve the future sustainability of the reservoir. The access roads would be maintained to provide proper road width for access.

The area that would be maintained annually is approximately 52 acres, smaller than the proposed initial excavation limits (71 acres) (see attached figure). Vegetation within this reservoir management footprint would be mowed or removed and grubbed annually to maintain water-holding capacity. These activities would occur Monday through Friday over an estimated three-week period in the late summer or early fall. All vegetation and sediment outside the reservoir management footprint would be allowed to naturally reestablish and/or remain in place.

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: Through the CEQA Environmental Impact Report process and through communication with stakeholders, the applicant explored numerous project alternatives to avoid and minimize impacts as a result of the project. Of the alternatives, the environmentally superior alternative was identified as the project alternative to implement for the project. The project configuration was found to have the least amount of sediment removal of all alternatives, and impact the smallest footprint of the 258 acre reservoir. The environmentally superior alternative has a

reduced footprint, of 71 acres, which is less than the original proposed footprint of 120 acres. The excavation configuration was designed to provide proper drainage characteristics and to be capable of handling future anticipated sedimentation load. As a result, the currently proposed project design avoids and minimizes impacts to waters of the United States. The alternative identified through the CEQA process is the same as the applicant's proposed project and the applicant believes it results in the least amount of sediment excavated while still maintaining flood control requirements and involves the least area of impacts. Alternatives considered include several different removal configurations, amounts of sediment to be removed, removal methods, and haul routes.

Minimization: The project to-date has been designed to minimize impacts to aquatic resources by reducing the total footprint of the proposed exaction area. Furthermore, the project is designed to minimize impacts primarily through avoidance, as well as through seasonal restrictions and considerations to species.

Compensation: The applicant proposes to provide compensatory mitigation to offset impacts to waters of the United States and wetlands through onsite and/or offsite mitigation project(s). The proposed onsite mitigation would include exotic species removal, planting of native vegetation, and conversion of ruderal vegetative communities to native vegetative communities. However, a preliminary determination has been made by the Corps that compensatory mitigation would not be authorized within the flood control facility because long-term protection cannot be ensured. It is unknown if there are other on-site areas containing waters of the United States that could be acceptable compensatory mitigation sites for Corps-required mitigation. A proposed plan has not yet been submitted.

Proposed Special Conditions

None at this time.

For additional information please call Bonnie Rogers at 213-452-3372 or via e-mail at Bonnie.L.Rogers@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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915 Wilshire Blvd. Ste 930
LOS ANGELES, CALIFORNIA 90017
WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY

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Project description-

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would be a permanent loss of aquatic resource functions due to proposed frequent maintenance in order to retain flood storage capacity according to the authorized maintenance baseline.

The basin would be excavated to an elevation of approximately 985 feet above mean sea level at the face of the dam. From the dam face the elevation would slope up to 995 feet, gradually to 1,040 feet where the flow is most constricted, then up to 1,060 feet, and finally to 1,065 feet approximately 4,700 feet at the northern-most upstream end of the reservoir. The final configuration would involve approximately 71 acres of the reservoir as shown on proposed contours, profile, and cross sections (see attached figure). The non-wetland waters of the United States consist of riparian woodland, ruderal vegetation, ornamental vegetation, mulefat, and coastal sage scrub. The proposed project would include the removal of stockpiled sediment that was placed at the adjacent Johnson Field site located near the City of Pasadena's spreading grounds during the previous years' Interim Measures Projects. Excavation would not involve the Oak Grove area of Hahamongna Park, the area of the reservoir outside the excavation limits shown in Attachment F, or the City of Pasadena's spreading grounds on the east side of the basin. Devil's Gate is typically opened to allow draining after storm events therefore dewatering is not expected to be needed during construction. However, a dewatering plan to direct the low-flow channel would be provided to the Corps for the case when incoming flow may be present during construction (between April and December).

In order to excavate sediment from the reservoir, trees and vegetation growing within the excavation area or where haul roads are located would be removed. In the areas where excavation would not take place, including the western side of the reservoir (Oak Grove area), vegetation would not be removed, thereby avoiding approximately 187 acres of the total reservoir and approximately 49 acres of habitat. To facilitate storm flows, a slightly steeper gradient would be used in the constricted area of the basin.

The accumulated sediment would be excavated within the proposed limits (see attached figure). Construction equipment would include approximately four front loaders with 4-yard buckets, two bulldozers, one excavator, one grader, one water truck, and two tender trucks. Vegetation and organic debris would be separated from the sediment. Coarse material may need to be processed through the sorters and crushers to be hauled offsite using trucks. Depending on the moisture content of the sediment removed, the sediment may need to be stockpiled to allow it to dry. If drying is required, sediment would be stockpiled onsite within the excavation limits in the reservoir. The excavated sediment would be trucked off-site to existing upland disposal site locations which are currently available to accept the sediment. Trucks would travel and place sediment at one of the following disposal site locations: the Waste Management Facility in Azusa, the Vulcan Materials Reliance Facility in Irwindale, the Durbin Sand and Gravel Facility in Irwindale, the Manning Pit Sediment Placement Site (SPS) in Irwindale, School Canyon, or facilities in Sun Valley (Sheldon Pit, Sun Valley Fill Site, Bradley Landfill, Boulevard Pit, and Sunshine Canyon Landfill).

Trucks would enter the reservoir via the upgraded reservoir access road located on the east side of the reservoir. After rehabilitation and minor improvements to the existing west side reservoir access road, trucks would exit the reservoir via this road. As part of the Project, the existing western access road and the upgraded eastern access road would be improved with new ramps to allow for truck traffic in and out of the reservoir. Both the eastern and western access roads would allow for one-way truck traffic. The eastern access road would now allow for traffic to enter the reservoir directly from Oak Grove Drive as opposed to using La Cañada Verdugo Road. The existing western access road is currently unpaved, and the portion of this access road from below the bike path to the reservoir would be widened but remain unpaved. The portion of this access road from Oak Grove Drive to the West

Rim Trail bike path would need to be widened and paved. Empty trucks would be staged within the Project site.

The trucks expected to be used for sediment transport are double dump trucks, each with an estimated capacity of 18 cubic yards of sediment. The trucks are anticipated to haul up to an estimated 7,650 CY per day. Removal of sediment, vegetation, trees, and organic debris is expected to require an average of 50 truck round trips per hour, with an estimated maximum of 425 truck round trips per day during excavation activities. Using the proposed haul route, trucks would access the project site from I-210 by exiting at Windsor Avenue/Arroyo Boulevard, turning north at Windsor Avenue, turning left onto northbound Oak Grove Drive, and then entering the eastern reservoir access road. Loaded trucks would exit the reservoir on the existing access road, turning right onto northbound Oak Grove Drive, then left onto westbound Berkshire Place, and then to I-210 eastbound to disposal sites in Azusa and Irwindale or to I-210 westbound to disposal sites in Sun Valley. Removal. Sediment removal would occur between fall 2015 and fall 2020. Excavation and associated activities within the reservoir area are expected to take place during drier months, between April 15 to October 15 and possibly through December if there is a late wet season and a dry fall. Activities would take place Monday through Friday from 7:00 a.m. to 3:30 p.m.

The reservoir management and maintenance phase of the Project would start after the completion of the main sediment removal phase. The Project would result in a reservoir configuration and access to facilitate future routine annual management and sediment removal. After the initial proposed sediment removal activities, the reservoir would be managed through vegetation maintenance, sediment excavation/trucking offsite, and Flow-Assisted Sediment Transport (FAST) operations. FAST is used during rain events (during the winter), whereby the dam gate is opened, and natural water flow pushes fine grain size sediment through the reservoir and downstream of the dam. It is estimated that an average of 13,000 CY of sediment would potentially be deposited in the reservoir annually after completion of the Project. A maintenance regime that relies on the FAST approach would greatly reduce the need for and extend the life of future and existing sediment placement sites and improve the future sustainability of the reservoir. The access roads would be maintained to provide proper road width for access.

The area that would be maintained annually is approximately 52 acres, smaller than the proposed initial excavation limits (71 acres) (see attached figure). Vegetation within this reservoir management footprint would be mowed or removed and grubbed annually to maintain water-holding capacity. These activities would occur Monday through Friday over an estimated three-week period in the late summer or early fall. All vegetation and sediment outside the reservoir management footprint would be allowed to naturally reestablish and/or remain in place.

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: Through the CEQA Environmental Impact Report process and through communication with stakeholders, the applicant explored numerous project alternatives to avoid and minimize impacts as a result of the project. Of the alternatives, the environmentally superior alternative was identified as the project alternative to implement for the project. The project configuration was found to have the least amount of sediment removal of all alternatives, and impact the smallest footprint of the 258 acre reservoir. The environmentally superior alternative has a

reduced footprint, of 71 acres, which is less than the original proposed footprint of 120 acres. The excavation configuration was designed to provide proper drainage characteristics and to be capable of handling future anticipated sedimentation load. As a result, the currently proposed project design avoids and minimizes impacts to waters of the United States. The alternative identified through the CEQA process is the same as the applicant's proposed project and the applicant believes it results in the least amount of sediment excavated while still maintaining flood control requirements and involves the least area of impacts. Alternatives considered include several different removal configurations, amounts of sediment to be removed, removal methods, and haul routes.

Minimization: The project to-date has been designed to minimize impacts to aquatic resources by reducing the total footprint of the proposed exaction area. Furthermore, the project is designed to minimize impacts primarily through avoidance, as well as through seasonal restrictions and considerations to species.

Compensation: The applicant proposes to provide compensatory mitigation to offset impacts to waters of the United States and wetlands through onsite and/or offsite mitigation project(s). The proposed onsite mitigation would include exotic species removal, planting of native vegetation, and conversion of ruderal vegetative communities to native vegetative communities. However, a preliminary determination has been made by the Corps that compensatory mitigation would not be authorized within the flood control facility because long-term protection cannot be ensured. It is unknown if there are other on-site areas containing waters of the United States that could be acceptable compensatory mitigation sites for Corps-required mitigation. A proposed plan has not yet been submitted.

Proposed Special Conditions

None at this time.

For additional information please call Bonnie Rogers at 213-452-3372 or via e-mail at Bonnie.L.Rogers@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.

Regulatory Program Goals:

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

DEPARTMENT OF THE ARMY
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WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Bonnie Rogers, SPL-2014-00591
LOS ANGELES DISTRICT CORPS OF ENGINEERS
915 Wilshire Blvd. Ste 930
LOS ANGELES, CALIFORNIA 90017

Alternatively, comments may be sent electronically to: Bonnie.L.Rogers@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 that 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 that 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 therefore 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 would be 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 may affect but would not likely adversely affect a federally-listed endangered or threatened species, specifically least Bell's vireo (*Vireo bellii pusillus*), and would result in no effect to critical habitat. The Corps initiated informal consultation on April 03, 2015 under Section 7 of the Endangered Species Act, and consultation is pending.

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). The basic project purpose for the proposed project is flood risk management. 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 for the proposed project is to restore water and debris holding capacity of approximately 2.4 million cubic yards within Devil's Gate Reservoir (total as-built holding capacity allows approximately 10 million cubic yards), to protect life and property.

Additional Project Information

Baseline information-

The total Devil's Gate reservoir is approximately 258 acres and there are approximately 37.8 acres, wetland (10.8 acres) and non-wetland (27 acres), waters of the United States within the project area.

The last cleanout project at Devil's Gate Reservoir, the Interim Measures Project, was conducted between September 15 and October 6, 2014 under Corps permit number SPL-2011-00516-BLR, whereby approximately 600 cubic yards of sediment was excavated at the upstream face of the dam.

Historically, as storm events have deposited sediment in the reservoir, native and non-native vegetation have become established in the sediment. During subsequent storm events some of the vegetation and trees have been washed out by storm flows or submerged when the reservoir level rises, or have been buried by sedimentation. In most years water flows at least 3 months during the year and therefore is at least intermittent. At times, the groundwater level, as indicated by wells, reaches the streambed elevation. Mature willow trees (primarily black willow), Riversidean Alluvial Fan Sage Scrub, Mulefat Scrub, and other riparian vegetation have grown in the reservoir to the extent that dense undisturbed stands are on site. In particular Alluvial Fan Sage is an increasingly rare habitat but persists in the northernmost portion of the site within the proposed impact area and within the braided channel.

The original baseline as denoted by the Los Angeles County Flood Control District is designated by the 1919 easement as a capacity of 6,500 acre-feet (10,486,727 cubic yards) ranging from the lowest outlet gate elevation of 986 feet the up to the top of the dam easement boundary at elevation 1075 feet (258 acres). The proposed excavation footprint and specified maintenance area design plan would become the new baseline by which sediment could be excavated in the future.

Project description-

The project excavation activities proposes to remove approximately 2.4 million CY of accumulated sediment in Devil's Gate Reservoir in addition to additional sediment received each year during the project. The proposed project excavation limits and reservoir configuration are designed to avoid many on-site habitat and recreational areas (see attached Work Plan Map). Discharge of fill material associated with removal of vegetation and sediment would result in temporary impacts to approximately 27 acres of non-wetland waters of the United States, and approximately 10.8 acres of wetland waters of the United States. The total impacts to waters of the United States would be 37.8 acres. The proposed project would not result in a loss of waters of the United States, however, there

would be a permanent loss of aquatic resource functions due to proposed frequent maintenance in order to retain flood storage capacity according to the authorized maintenance baseline.

The basin would be excavated to an elevation of approximately 985 feet above mean sea level at the face of the dam. From the dam face the elevation would slope up to 995 feet, gradually to 1,040 feet where the flow is most constricted, then up to 1,060 feet, and finally to 1,065 feet approximately 4,700 feet at the northern-most upstream end of the reservoir. The final configuration would involve approximately 71 acres of the reservoir as shown on proposed contours, profile, and cross sections (see attached figure). The non-wetland waters of the United States consist of riparian woodland, ruderal vegetation, ornamental vegetation, mulefat, and coastal sage scrub. The proposed project would include the removal of stockpiled sediment that was placed at the adjacent Johnson Field site located near the City of Pasadena's spreading grounds during the previous years' Interim Measures Projects. Excavation would not involve the Oak Grove area of Hahamongna Park, the area of the reservoir outside the excavation limits shown in Attachment F, or the City of Pasadena's spreading grounds on the east side of the basin. Devil's Gate is typically opened to allow draining after storm events therefore dewatering is not expected to be needed during construction. However, a dewatering plan to direct the low-flow channel would be provided to the Corps for the case when incoming flow may be present during construction (between April and December).

In order to excavate sediment from the reservoir, trees and vegetation growing within the excavation area or where haul roads are located would be removed. In the areas where excavation would not take place, including the western side of the reservoir (Oak Grove area), vegetation would not be removed, thereby avoiding approximately 187 acres of the total reservoir and approximately 49 acres of habitat. To facilitate storm flows, a slightly steeper gradient would be used in the constricted area of the basin.

The accumulated sediment would be excavated within the proposed limits (see attached figure). Construction equipment would include approximately four front loaders with 4-yard buckets, two bulldozers, one excavator, one grader, one water truck, and two tender trucks. Vegetation and organic debris would be separated from the sediment. Coarse material may need to be processed through the sorters and crushers to be hauled offsite using trucks. Depending on the moisture content of the sediment removed, the sediment may need to be stockpiled to allow it to dry. If drying is required, sediment would be stockpiled onsite within the excavation limits in the reservoir. The excavated sediment would be trucked off-site to existing upland disposal site locations which are currently available to accept the sediment. Trucks would travel and place sediment at one of the following disposal site locations: the Waste Management Facility in Azusa, the Vulcan Materials Reliance Facility in Irwindale, the Durbin Sand and Gravel Facility in Irwindale, the Manning Pit Sediment Placement Site (SPS) in Irwindale, School Canyon, or facilities in Sun Valley (Sheldon Pit, Sun Valley Fill Site, Bradley Landfill, Boulevard Pit, and Sunshine Canyon Landfill).

Trucks would enter the reservoir via the upgraded reservoir access road located on the east side of the reservoir. After rehabilitation and minor improvements to the existing west side reservoir access road, trucks would exit the reservoir via this road. As part of the Project, the existing western access road and the upgraded eastern access road would be improved with new ramps to allow for truck traffic in and out of the reservoir. Both the eastern and western access roads would allow for one-way truck traffic. The eastern access road would now allow for traffic to enter the reservoir directly from Oak Grove Drive as opposed to using La Cañada Verdugo Road. The existing western access road is currently unpaved, and the portion of this access road from below the bike path to the reservoir would be widened but remain unpaved. The portion of this access road from Oak Grove Drive to the West

Rim Trail bike path would need to be widened and paved. Empty trucks would be staged within the Project site.

The trucks expected to be used for sediment transport are double dump trucks, each with an estimated capacity of 18 cubic yards of sediment. The trucks are anticipated to haul up to an estimated 7,650 CY per day. Removal of sediment, vegetation, trees, and organic debris is expected to require an average of 50 truck round trips per hour, with an estimated maximum of 425 truck round trips per day during excavation activities. Using the proposed haul route, trucks would access the project site from I-210 by exiting at Windsor Avenue/Arroyo Boulevard, turning north at Windsor Avenue, turning left onto northbound Oak Grove Drive, and then entering the eastern reservoir access road. Loaded trucks would exit the reservoir on the existing access road, turning right onto northbound Oak Grove Drive, then left onto westbound Berkshire Place, and then to I-210 eastbound to disposal sites in Azusa and Irwindale or to I-210 westbound to disposal sites in Sun Valley. Removal. Sediment removal would occur between fall 2015 and fall 2020. Excavation and associated activities within the reservoir area are expected to take place during drier months, between April 15 to October 15 and possibly through December if there is a late wet season and a dry fall. Activities would take place Monday through Friday from 7:00 a.m. to 3:30 p.m.

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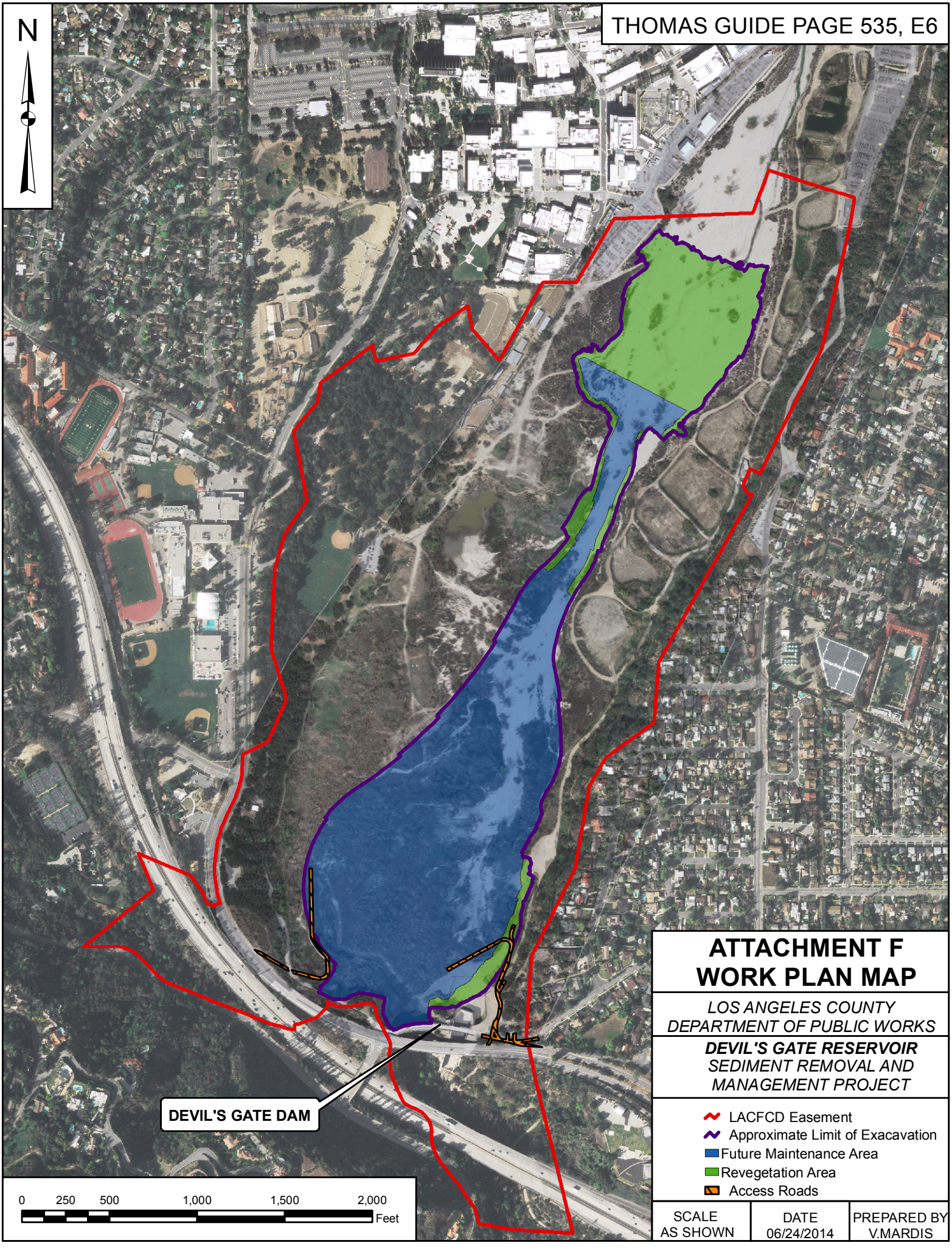
ATTACHMENT B
VICINITY MAP

LOS ANGELES COUNTY
DEPARTMENT OF PUBLIC WORKS

DEVIL'S GATE RESERVOIR
SEDIMENT REMOVAL AND MANAGEMENT PROJECT

SCALE	DATE	PREPARED BY
AS SHOWN	06/30/2014	V.MARDIS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THOMAS GUIDE PAGE 535, E6
DEVIL'S GATE DAM
0 250 500 1,000 1,500 2,000 Feet
ATTACHMENT F
WORK PLAN MAP
LOS ANGELES COUNTY
DEPARTMENT OF PUBLIC WORKS
DEVIL'S GATE RESERVOIR
SEDIMENT REMOVAL AND
MANAGEMENT PROJECT
LACFCD Easement
Approximate Limit of Exacavation
Future Maintenance Area
Revegetation Area
Access Roads
SCALE
AS SHOWN
DATE
06/24/2014
PREPARED BY
V.MARDIS

22 ft
52 ft
23 ft
19 ft
33 ft
35 ft
181 ft
52 ft
17 ft
34 ft
38 ft
40 ft
35 ft
30 ft
21 ft
31 ft
18 ft
39 ft
Berkshire Creek
15 ft
Flint Wash

SCALE= 1 inch equals 375 feet
0 187.5 375 750 Feet

Service Layer Credits: NAIP/California_2014_1m_NC

Legend

- Originally Proposed Project Boundary
- Access Road
- Bridge
- Culvert
- Sediment Removal Excavation Limit

Waters (Impacted Acres)

- Non-wetland Waters of the U.S. (27 acres)
- Wetland Waters of the U.S. (10.8 acres)

Figure 4.6-13
Impacted Water Features Map
Alternative 3 - Configuration D, Option 2

Version Date: 3/4/2015

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\\cgi-gisdata01\GIS_DATA\Projects\20000s\20201 - 20400\20346 Devil's Gate EIR\20346 Figure 4.6-13 Alternative 3, Configuration D2 Impacted Water Features.mxd

Vegetation Communities (Impacted Acres)

1. Riversidean Alluvial Fan Sage Scrub (1.1 acres)
2. Coastal Sage Scrub (3.1 acres)
3. Scoured (26.5 acres)
4. Ornamental Landscaping (0.4 acre)
5. Riparian Woodland (51.4 acres)
6. Ruderal (22.8 acres)
7. Mule Fat Scrub (9.3 acres)
8. Disturbed (Barren/Trails) (1.9 acres)
9. Riparian Herbaceous (1.8 acres)

SCALE= 1 inch equals 375 feet

0 187.5 375 750 Feet

Service Layer Credits: Copyright© 2013 Esri, DeLorme, NAVTEQ, TomTom
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Proposed Project Boundary

Sediment Removal Excavation Limit

Coast Live Oak

Figure 2
Devil's Gate Reservoir Sediment Removal and Management Project
Vegetation Communities Map

Version Date: 10/18/2013

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\\Cgi-gisdata01\gis_data\Projects\20000s\20201 - 20400\20346 Devil's Gate EIR\20346 JD Figure 2 - Vegetation Communities Map.mxd

Project Area
Survey Area
Least Bell's Vireo Territory
Least Bell's Vireo
Yellow-breasted Chat
Yellow Warbler
Brown-headed Cowbird

N

0 250 500 1,000
Feet

Attachment 4

Devil's Gate Sediment Removal Project

LBVI Survey Results Map

Name: 20592 Attachment 4 Survey Results Map.Mxd
Print Date: 8/27/2013, Author: phuls

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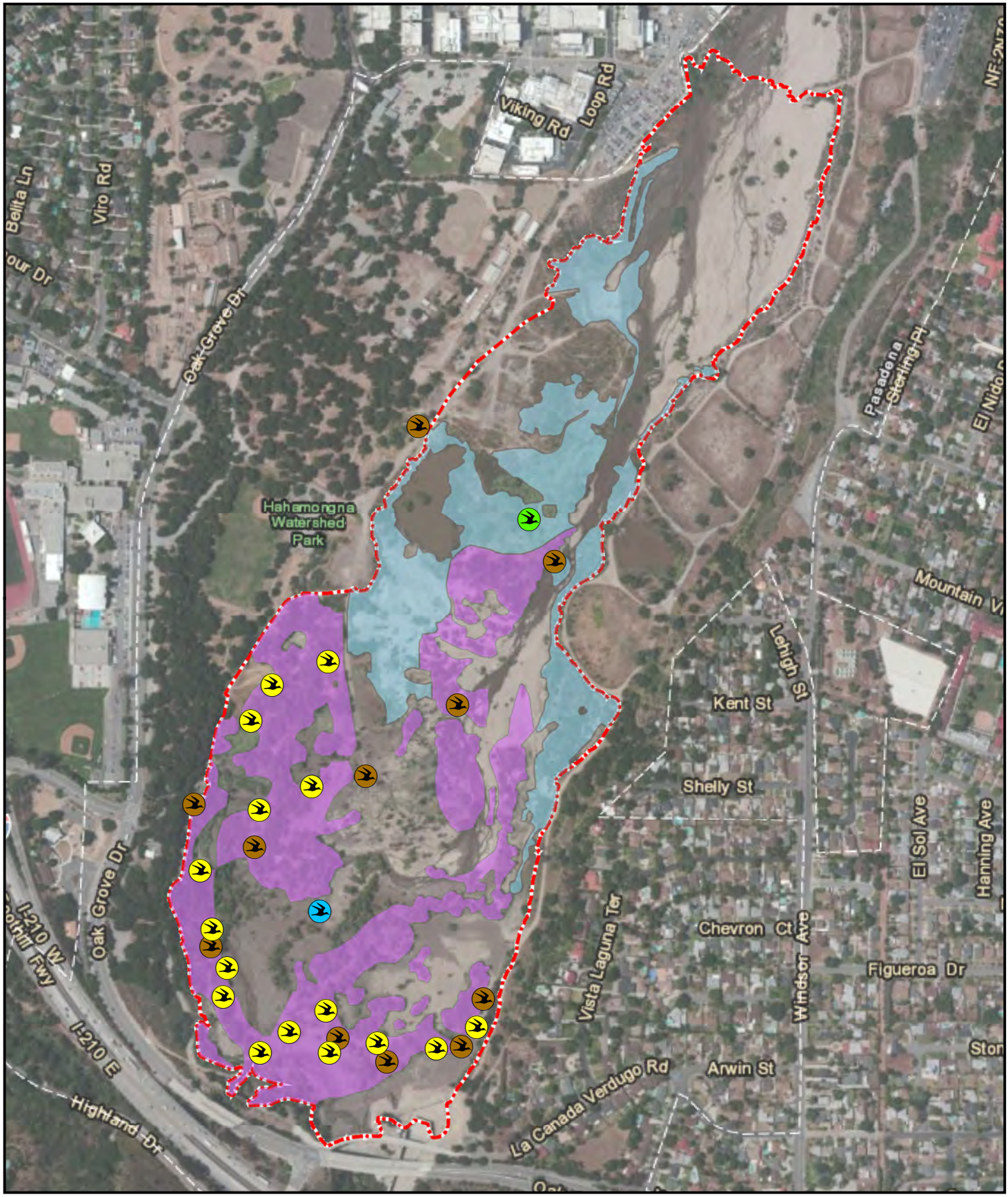

Legend

Survey Area

Suitable Habitat

LBVI Only

LBVI and SWFL

Sensitive Species Observations

Willow Flycatcher

Yellow Warbler

Yellow-breasted Chat

Other Species of Interest

Brown-headed Cowbird

N

0 250 500 1,000

Feet

Attachment 3

Devil's Gate Reservoir Sediment Removal and Management Project

LBVI and SWFL 2014 Survey Results

Name: 20767 Attach 3 LBVI-SWFL Survey Results.Mxd
Print Date: 12/22/2014, Author: stondre

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