PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR PERMIT
Cogswell Reservoir Restoration Project

Public Notice/Application No.: SPL-2017-00615-GLH
Project: L.A. County Cogswell Reservoir Restoration Project
Comment Period: September 14, 2020 through October 14, 2020
Project Manager: Jerry Hidalgo; (805) 585-2145; Gerardo.L.Hidalgo@usace.army.mil

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Contact
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Location
The project is located within the Cogswell Reservoir along the West Fork of the San Gabriel River (WFSGR), within the San Gabriel Mountains in the Angeles National Forest, Los Angeles County, California (at: 34.244534°, -117.966299°).

Activity
To discharge fill in association with Los Angeles County Cogswell Reservoir Restoration Project (previously Cogswell Reservoir Sediment Removal Project; see attached drawings). The project would temporarily impact approximately 115.91 acres non-wetland waters of the U.S. as a result of excavating approximately 2.5 million cubic yards (MCY) accumulated sediment from the Cogswell Reservoir over approximately 115.91 acres non-wetland waters of the United States and would permanently impact 0.22 acres non-wetland waters of the U.S. as a result of the placement of the excavated sediment in the adjacent existing Cogswell Sediment Placement Site (SPS) south of the reservoir. For more information see Additional Project Information section below.

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:

Gerardo.L.Hidalgo@usace.army.mil. Should you have any questions or concerns about the Corps' proposed action or our comment period, you may contact Jerry Hidalgo directly at (805) 585-2145.

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 (RWQCB). 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 therefore compliance with the Coastal Zone Management Act is not required.

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 Corps recognizes our obligations to comply with 33 CFR Part 325 Appendix C(1)(g)) in defining both the Permit Area and the Area of Potential Effects (APE) in compliance with 36 CFR Part 800.16(d)).The APE and Permit Area for the proposed undertaking includes four historic properties recorded in a SCCIC Records Search. The Corps has preliminary determined the proposed undertaking would have no effect on these four historic properties. While excavation of sediment in the reservoir would disturb subsurface material, the proposed excavation would not extend into native undisturbed material and therefore would not expose new resources of concern. The Native American Heritage Commission (NAHC) will be consulted for a Sacred Lands File search and list of interested tribal parties. The Corps will initiate tribal consultation with interested tribal parties to seek information regarding any tribal resources that could be affected by the project. The Corps will also initiate Section 106 consultation with the State Historic Preservation Officer (SHPO) following coordination with tribal parties.

Endangered Species- Surveys for biological resources were conducted in 2017 including the Cogswell Reservoir, the haul route and staging areas, and the SPS. No designated critical habitat occurs on the project site.

Two focused rare plant surveys were conducted within the study area on May 17, 2017, and August 15, 2017, to cover spring and fall blooming plants. No federally listed Nevin's barberry (*Berberis nevinii*) were observed on-site and no suitable habitat is present. No federally listed Thread-leaved brodiaea (*Brodeaea filifolia*) were observed on-site and only marginal potential suitable habitat is present on-site in open areas. No federally listed Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) were observed on-site and suitable habitat is lacking on-site or near the vicinity of the project. No federally listed southwestern willow flycatcher (*Empidonax traillii extimus*) were observed on-site and suitable habitat is lacking. Southwestern willow flycatcher was observed foraging below the Morris Dam seven miles southeast, so foraging individuals have the potential to occur during spring and fall migration. No federally listed California gnatcatcher (*Polioptila California californica*) have been observed on-site and habitat on-site is not suitable and is therefore not likely to occur.

Protocol-level surveys for federally listed least Bell's vireo (*Vireo belli pusillus*) were conducted between May 15, 2017 and July 31, 2017. Vireo has not been observed on-site and on-site habitat is marginally suitable. Vireo have been observed five miles southeast and therefore may use the project area to forage during migration.

Protocol-level surveys for Mountain yellow-legged frog (*Rana muscosa*) were performed within the upstream WFSGR, Devil's Canyon, and the plunge pool area downstream of the dam. The surveys began on May 15, 2018 and were completed on July 9, 2018; no Mountain yellow-legged frog were observed. The last observances of Mountain yellow-legged frog in the project vicinity were in 1959 and 1970.

Federally listed Santa Ana sucker (*Catostomus santaanae*) is not known to occur on-site, however several downstream occurrences outside the project area have been observed as recently as June 2018 during surveys in WFSGR.

Based on the above information, and because the project would occur over multiple years and seasons whereby conditions could change, and on-site marginal habitat could support migratory listed species, the Corps has determined the project may affect not likely to adversely affect least Bell's vireo, southwestern willow flycatcher, Santa Ana sucker and Thread-leaved brodiaea. The Corps will initiate informal Section 7 consultation with the U.S. Fish and Wildlife Service (FWS) under separate cover.

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). Because no fills are proposed within special aquatic sites, identification of the basic project purpose is not necessary.

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 flood control capacity to meet the 1978 Los Angeles County Flood Control District's (LACFCD) Dam Cleanout Policy.

Additional Project Information

Baseline Information- Cogswell Dam is owned and operated by the LACFCD. Dam construction was completed in April 1934 in a remote mountainous location entirely surrounded by the Angeles National Forest at one of the headwaters of the San Gabriel River. The facility is a component of the Los Angeles County Flood Control System and water conservation efforts, serving multiple beneficial uses including sustaining the downstream habitat and groundwater recharge. Sediment has been removed throughout Cogswell Reservoir's history, with the most recent Phase I and Phase II reservoir cleanouts occurring in 1991 and 1995-1997. The use of the SPS for the maintenance of Cogswell Reservoir was evaluated in a 1993 Environmental Impact Report (EIR) prepared in accordance with

the California Environmental Quality Act (CEQA). The SPS was issued a 30-year Special Use Permit by the U.S. Forest Service (USFS) in 1991 and evaluated under an Environmental Assessment prepared in accordance with the National Environmental Policy Act (NEPA). The LACFCD is currently undergoing the re-authorization process for extending the Special Use Permit by the USFS.

Following recent fires in the watershed, an estimated 1.1 MCY of sediment and debris has deposited into the Cogswell Reservoir, resulting in a total accumulation of 3.1 MCY sediment above the reservoir bottom. The total 194-acre project site includes Cogswell Reservoir, SPS, and staging and access areas which are located approximately seven miles west of the San Gabriel Reservoir. The existing SPS area located adjacent to Cogswell Reservoir was constructed in the 1990s as part of previous Phase I and II reservoir cleanouts and includes a paved switch-back access road over the 36 acres of graded sediment placement area that has been revegetated. The area of the SPS to be used for this project comprises approximately 32 acres (11 acres of previously disturbed open space and 21 acres of natural vegetation) and an additional 0.21 acre of vegetation for the reconstructed access ramp.

The LACFCD's Dam Cleanout Policy, which adopted a minimum reservoir storage capacity for each of the District's reservoirs or reservoir systems, states that the required storage for San Gabriel Canyon, including San Gabriel Reservoir and Cogswell Reservoir, is 55,845 acre feet (90.1 MCY). The original storage capacity of San Gabriel Reservoir is 86.1 MCY, but with 15.0 MCY of sediment currently in the reservoir, the available storage is 71.1 MCY. The original storage [design] capacity of Cogswell Reservoir is 19.8 MCY, but with 3.1 MCY of sediment currently in the reservoir, the available storage is 16.7 MCY. Currently, the combined available storage capacity of Cogswell Reservoir and San Gabriel Reservoir is 87.8 MCY. Therefore, a minimum of 2.3 MCY of sediment needs to be removed from the reservoir system to meet the Dam Cleanout Policy requirements.

Aquatic resources: The Cogswell Reservoir is located in the San Gabriel Mountains and is on the WFSGR. Water is conveyed to the reservoir from two main tributaries, Devil's Canyon from the north and the upstream portion of WFSGR from the west. Water passes through the Cogswell Dam and continues along the WFSGR for approximately seven miles where it reaches the confluence of the North, East, and West Forks of the San Gabriel River. These river forks then flow into the San Gabriel Reservoir, followed by the Morris Reservoir, before continuing southwest for approximately eight miles along the mainstem of the San Gabriel River to the Santa Fe Reservoir. The river exits Santa Fe Dam and flows southwest for approximately eight miles to Whittier Narrows Dam, and then continues southwest for approximately eight miles to a transition to a concrete-lined channel in the city of Downey. The concrete-lined channel continues south for approximately 13.5 miles to the Pacific Ocean in Seal Beach.

The Cogswell Reservoir and the WFSGR are perennial/intermittent waters leading to the San Gabriel Reservoir. The two tributaries that flow into Cogswell Reservoir are ephemeral, with the exception of some deep pools, and have less water during the dry season and in years with little precipitation. The San Gabriel River is a perennial system with water coming from numerous tributaries, including Walnut Creek, San Jose Creek, Coyote Creek, as well as several storm drains. Several drainages (Nos. 1a-c, 2, 3a-d, and 4a-f) were mapped in the SPS along the southern boundary of the project area, and one (No. 5) was mapped in the SPS near the proposed access ramp. These drainages all flow into Cogswell Reservoir. The total acreage of non-wetland waters of the United States is 116.13 acres, primarily comprised of open water in the Cogswell Reservoir (115.91 acres). The total acreage of wetlands in the action area is 0.05 acres located within drainage No. 5.

Vegetative communities: Plant communities typically found within the region include a mosaic of xeric communities, for example sage scrub and chaparral throughout lower elevations and a variety of

mesic habitats including trans montane, montane and sub-alpine hardwood, and coniferous forests at higher elevations. Riparian habitat associated with riverine or other aquatic features traverse the landscape as well. Vegetation communities primarily within the SPS include Canyon Live Oak Forest, Mulefat Thicket, Black Willow Thickets, Interior Live Oak Chaparral, Chamise Chaparral, and California Buckwheat Scrub.

Project Description and Operations- The project would excavate up to 2.5 MCY of debris and sediment from Cogswell Reservoir. Sediment would be stockpiled within the reservoir to dry out. Limits of excavation would occur at varying elevations between 2,170 feet and 2,365 feet, resulting in depths of excavation between 20 to 50 feet within the reservoir. Prior to sediment placement, approximately 21 acres of existing vegetation would be cleared from the undisturbed portion of the SPS. Sediment removal, transport, and placement would require earthmoving and construction equipment, including the use of tractors, excavators, rollers, generators, scrapers, bulldozers, water trucks, loaders, and off-road dump trucks. Dried sediment would then be transported and placed in the SPS. Following placement, the SPS would be revegetated with hydro-mulch, native herbaceous species, native trees and shrubs, in accordance with the USFS guidelines and a Vegetation Recovery Plan. After project completion, standard operations of Cogswell Reservoir and Dam for flood control and water conservation would continue.

The project includes constructing a temporary access ramp in the same location used for previous projects, located along the southern edge of the reservoir. The access ramp would connect the invert of the reservoir to the roads of the existing SPS. The reconstructed access ramp would be approximately 35 feet wide and 2,100 feet long. Approximately 0.21 acre vegetation removal at the reservoir's shoreline would be required, but would otherwise be located primarily within the open water elevation of the reservoir.

The proposed project is anticipated to begin in 2022 and end in 2025. Site preparation would begin in the fall of 2022 with clearing and grubbing of vegetation, which would be conducted outside of the bird nesting season. Sediment removal and placement activities would be conducted during the dry seasons between 2023 and 2025.

Operations: The following reservoir and dam operations would be conducted year-round in order to achieve a desired water surface elevation (WSE) by the end of storm season (October 15 - April 15) each year during the project. Gradually releasing water throughout the year rather than solely during construction would increase the number of sediment removal working days. Surface water diversion activities would be conducted during construction season only (April 15 - October 15). Dam and reservoir operations (water releases) are not regulated discharges under section 404 of the CWA.

Throughout storm season the LACFCD would make releases to lower the reservoir using the dam's existing outlet works. Water would be released using a combination of Valves 2B, 3, 4 and 5 to lower the reservoir to a WSE as low as 2,240 feet by April 15 of each year.

The quantity and flow rate of controlled releases would vary depending on the amount of rainfall, duration of storm events, and the availability of storage in downstream facilities. Releases outside of storm season would be ramped to the extent possible.

Any flows released outside of storm season would not exceed 250 cubic feet per second (cfs) to protect vegetation and wildlife downstream along the WFSGR.

During the project, any water remaining in the reservoir below WSE 2,240 feet would be used for dust control purposes and/or fully dewatered as discussed below. Pumps may be used to convey water

from the dead pool, a pool of water in the reservoir that cannot be drained by gravity through a dam's outlet works, to an area accessible by water trucks. The existing sluice gate would not be used to lower the reservoir.

When project requires the WSE to be drawn down below 2,240 feet, the LACFCD will determine if the remaining water meets discharge requirements. If so, it is possible for Valve 2B to be used to lower the WSE to 2,212 feet. Otherwise, a series of floating pumps and/or settling wells would be installed and the surface and ground water would be pumped to a system of desilting basins constructed upstream of the dead pool within the reservoir. The basins are anticipated to be constructed of existing and native on-site alluvial material within the proposed 115 acre temporary impact area. Prior to final design, sediment exploration would be conducted to determine soil gradation and could determine the desilting basins need to be lined.

The desilting basins would be designed to capture water and provide a location for the turbidity, or accumulated sediment, to settle from the water. Once an acceptable turbidity is achieved, the water would be pumped from the desilting basins into a pipeline, which would be discharged to the dam's outlet works. The desilted surface water would be tested for water quality at a sampling location in close proximity to the outlet works before being discharged downstream.

Water Quality Monitoring (WQM) would be conducted to verify that the construction activity has not impacted water quality downstream of the reservoir. The location of the WQM site will be near the inlet/outlet works. WQM parameters for the project would be determined by regulatory agencies, and these guidelines will be amended when that data is available.

Existing flows from Cogswell Dam's outlet during the months of May through October historically fluctuate between 0 and 26 cfs on average. A cofferdam structure would be constructed upstream of the reservoir pool in each of the two major Canyons, Devil's Canyon and the upstream portion of WFSGR to contain and divert surface water flows to an outlet surface water diversion bypass pipe. The cofferdam would prevent the surface water from comingling with the standing water in the reservoir and/or desilting basins and allow the bypass pipeline to be constructed and installed from the cofferdam directly to the existing dam outlet works. The cofferdam and surface water diversion bypass pipeline would be designed and maintained to capture and divert all anticipated inflows. The structure would be equipped with a barrier, such as a 1/8 inch mesh screen, to prevent the downstream migration of aquatic species. Cofferdams may be constructed in additional areas that are needed to isolate construction activities from contact with flows. The cofferdam and any additional cofferdams would be located within the 115 acre temporary impact zone. The cofferdam and surface water diversion bypass pipeline will be removed from service prior to the beginning of each storm season (October 15).

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: The applicant would use a surface diversion system to maintain natural flow rates for the downstream WFSGR by diverting all upstream water flow around the construction area. This design will confine ground disturbance associated with water desilting and diversion to the bed of the reservoir and would avoid placing desilting material in the plunge pool within the WFSGR below the dam.

Minimization: The applicant has proposed the following general and specific construction-related BMPs, as follows:

General BMPs:

- All construction activities would occur within the designated project footprint.
- To control erosion from exposed topsoil slopes and channels, frequent water checks will be placed on dirt roads, and runoff from steep erodible surfaces will be diverted into stable areas with less erosion potential.

Water quality BMPs:

- Desilting basins would be constructed within the reservoir to capture water and reduce turbidity prior to release from the Dam.
- A surface water diversion plan would be submitted prior to construction activities and surface water inflow would be redirected away from construction areas whenever possible.
- Measures would be implemented to prevent or limit the flow of disturbed sediment and particulate matter to downstream areas during construction activities.
- During construction, the applicant would implement the water quality monitoring program required by the RWQCB and comply with the permit conditions imposed by the Corps and RWQCB.

Endangered Species Act and Critical Habitat BMPs:

- Each spring following the storm season, water in the reservoir would be released at a rate to minimize adverse effects downstream.
- The worksite would be clearly flagged to avoid potential impacts to adjacent natural habitats or sensitive areas.
- A qualified biologist would conduct field surveys prior to construction to locate species and habitats and implement onsite avoidance measures recommended by the FWS or CDFW.
- Special status plants will be avoided.
- The 0.05 drainage area in the SPS identified as wetlands will be avoided during construction and will not be impacted.

Compensation: The applicant has proposed one acre of offsite mitigation to mitigate for 0.22 acres of permanent impact within the Cogswell SPS. The location or type (Mitigation Bank, In-Lieu Fee, or Permittee Responsible) is to be determined.

Proposed Special Conditions

Special conditions providing for the avoidance, minimization and mitigation for impacts to waters of the U.S. would likely be incorporated into any Corps permit authorization, if issued. No specific conditions are proposed at this time.

For additional information please call Jerry Hidalgo at (805) 585-2145 or via e-mail at Gerardo.L.Hidalgo@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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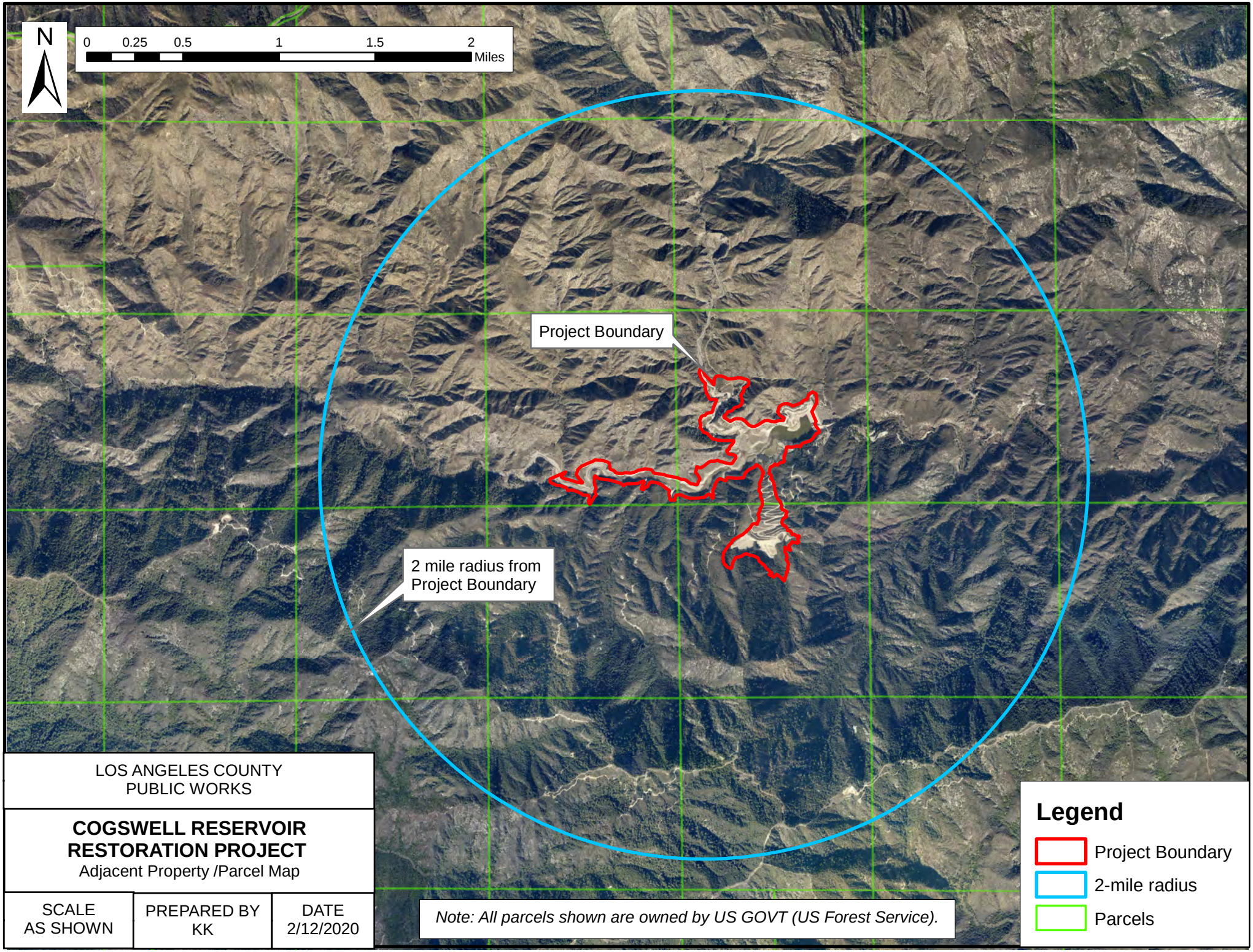
SOURCE: ESRI Imagery; ESA

Cogswell Reservoir Sediment Removal Project . 120810.59

Figure 1

Proposed Action Location



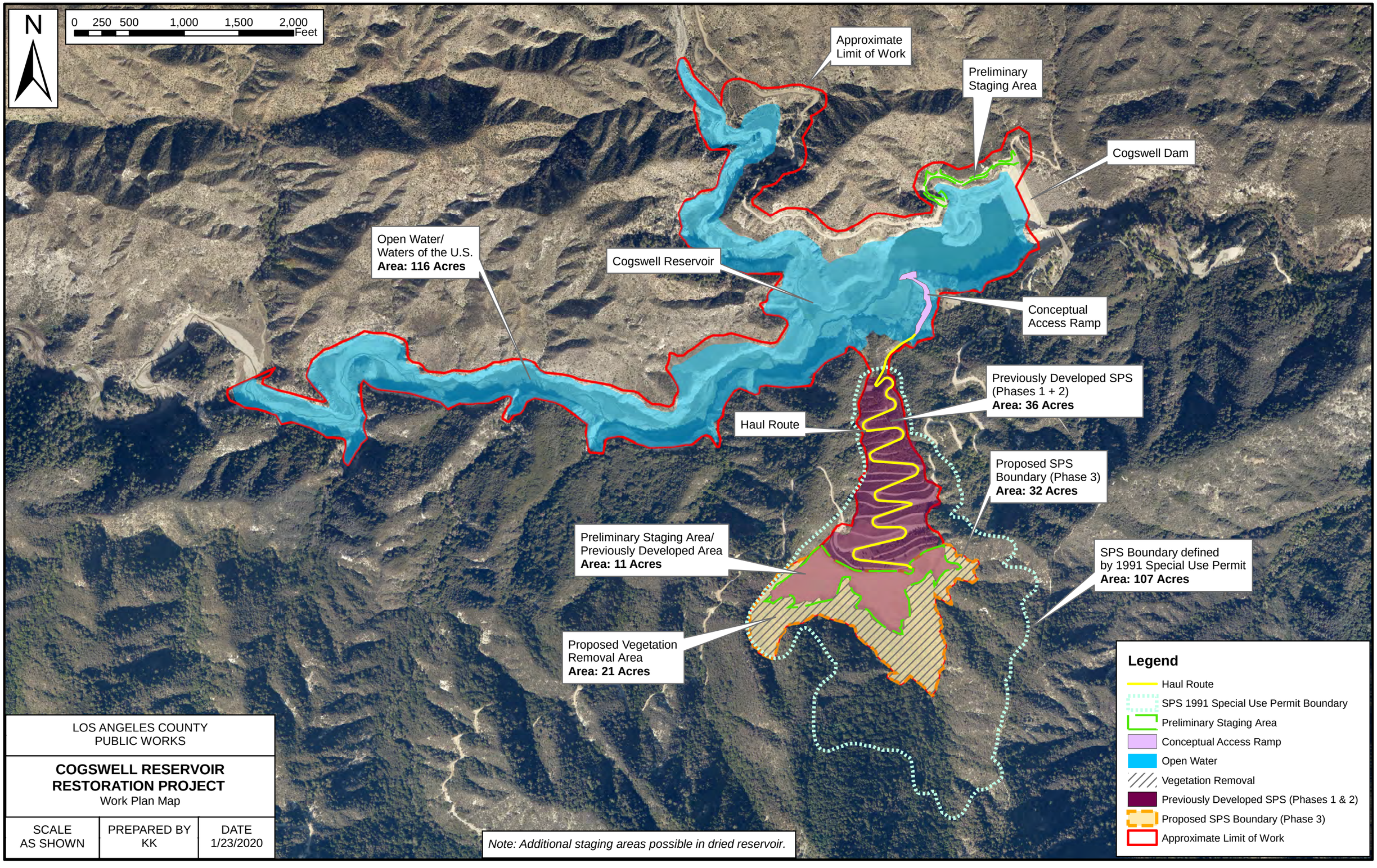
LOS ANGELES COUNTY
PUBLIC WORKS

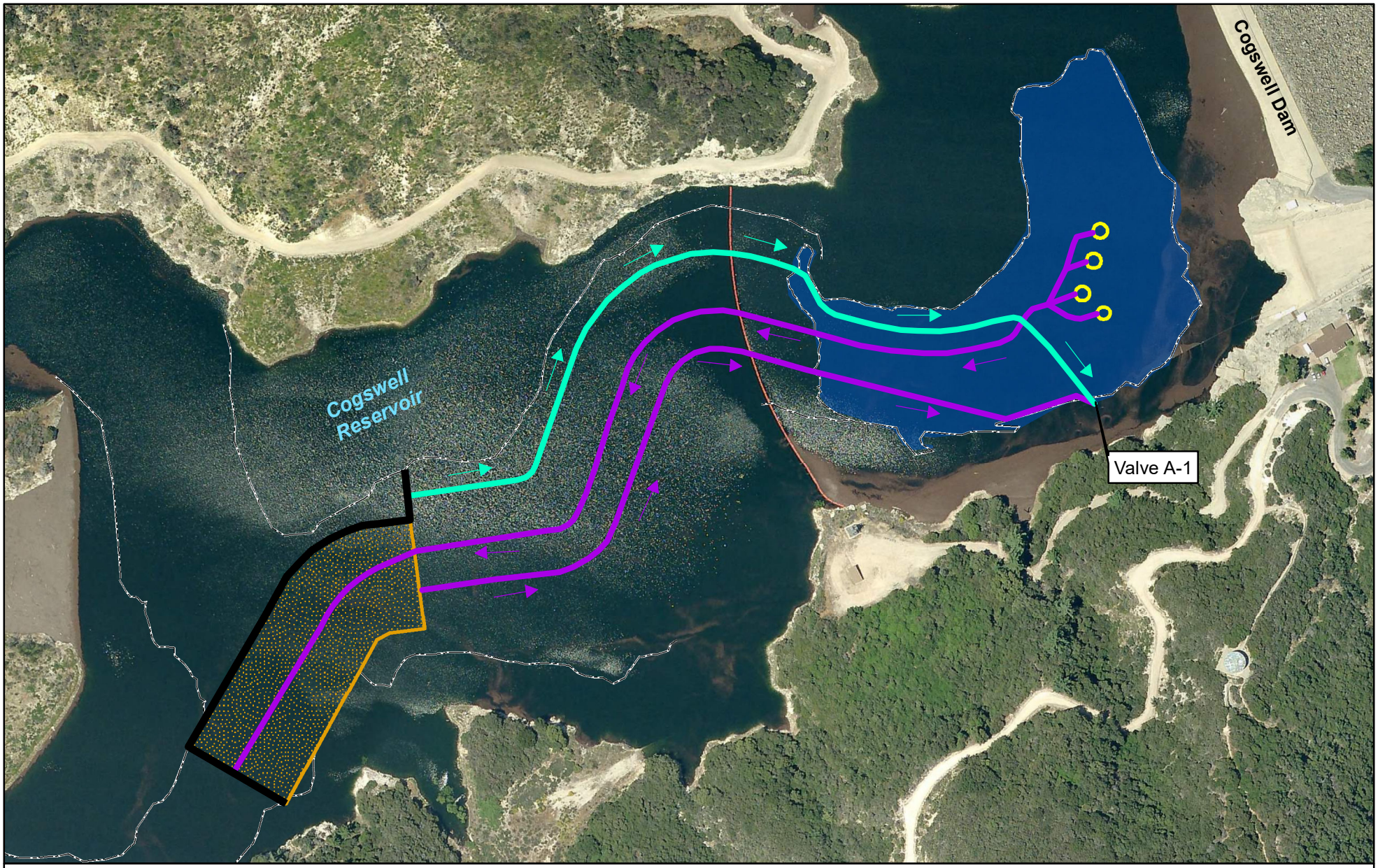
COGSWELL RESERVOIR RESTORATION PROJECT

Adjacent Property /Parcel Map

SCALE	PREPARED BY	DATE
AS SHOWN	KK	2/12/2020

Note: All parcels shown are owned by US GOVT (US Forest Service).


N
0 250 500 1,000 1,500 2,000
Feet
Approximate Limit of Work
Preliminary Staging Area
Cogswell Dam
Open Water/ Waters of the U.S.
Area: 116 Acres
Cogswell Reservoir
Conceptual Access Ramp
Previously Developed SPS (Phases 1 + 2)
Area: 36 Acres
Haul Route
Proposed SPS Boundary (Phase 3)
Area: 32 Acres
Preliminary Staging Area/ Previously Developed Area
Area: 11 Acres
SPS Boundary defined by 1991 Special Use Permit
Area: 107 Acres
Proposed Vegetation Removal Area
Area: 21 Acres
Legend
Haul Route
SPS 1991 Special Use Permit Boundary
Preliminary Staging Area
Conceptual Access Ramp
Open Water
Vegetation Removal
Previously Developed SPS (Phases 1 & 2)
Proposed SPS Boundary (Phase 3)
Approximate Limit of Work
LOS ANGELES COUNTY
PUBLIC WORKS
COGSWELL RESERVOIR
RESTORATION PROJECT
Work Plan Map
SCALE
AS SHOWN
PREPARED BY
KK
DATE
1/23/2020
Note: Additional staging areas possible in dried reservoir.



N

0 125 250 Feet

Minimum Water Level Elevation Contour

Deadpool

* Approximate locations, sizes and quantities subject to change

Surface Water Diversion Components*

Diversion Pipes (arrows indicate flow direction)

Cofferdam

Dewatering Components*

Sediment Basin

Settling Well

Settling Pipes (arrows indicate flow direction)

Figure 1

Cogswell Reservoir
Conceptual Surface Water Diversion and Dewatering Plan