

DEPARTMENT OF THE ARMY PERMIT

Permittee: United Water Conservation District; Anthony Emmert

Project Name: General Maintenance Activities at Lake Piru and Santa Felicia Project

Permit Number: SPL-2022-00440

Issuing Office: Los Angeles District

Note: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To discharge fill into waters of the U.S. pursuant to Section 404 of the Clean Water Act of 1972, in association with the General Maintenance Activities at Lake Piru and Santa Felicia Project as shown on the attached drawings.

Specifically, you are authorized to:

1. Maintain existing launch ramps utilizing heavy equipment to remove material (sediment and early colonizing vegetation) from launch ramp surfaces and immediately adjacent areas. When feasible, material would be graded away from the shoulders of the concrete launch ramps and spread along the adjacent area, not to exceed 1,000 square feet (0.023 acre) per launch ramp on an annual basis, or removed from site and deposited at a storage site located above the ordinary high water mark (1,055 feet amsl).
2. Maintain culverts, drainage channels, and the Reasoner Canyon Bridge crossing located within the project area and Lake Piru Area (Figure 1), including excavation of accumulated sediment and grading of to retain the original drainage pattern on an as-needed basis. Temporary disturbance within waters of the U.S. associated with maintenance of each individual crossing (11 total) shall not exceed 800 square feet per structure on an annual basis.
3. Reestablish designated swim beaches at the Juan Fernandez Launch Facility or

Condor Point (Figure 2) for the summer season. The specific foot print and location of each swim beach is dependent on the water surface elevation of Lake Piru. Beach reestablishment would include grooming and removal of vegetation on exposed lake bottom and adjacent uplands and may include placement of imported sand, not to exceed 300 cubic yards. Total area of disturbance to waters of the U.S. shall not exceed 3.4 acres of temporary impacts at the Juan Fernandez facility or 0.58 acre at the condor point. No fill placement shall be conducted below the water surface elevation at the time of work.

4. Conduct in-kind repair of rip-rap bank stabilization at launch ramps (Lake Piru Marina launch ramps and Juan Fernandez launch ramp) on an as-needed basis. The degree of repair required would vary depending on the damage sustained and may include clearing the area of material, stockpiling of material in an adjacent area within the dry lake bottom, importing and compacting material in the damaged area, and replacing lost rip-rap material. Impacts to waters of the U.S. shall not exceed 0.5 acre (e.g. grading, excavation involving a discharge of fill, temporary stockpiling, replacement of rock within the previous footprint).

Project Location: Lake Piru, Reasoner Canyon Channel and 10 unnamed tributaries to Lake Piru near the community of Piru, Ventura County, California.

Permit Conditions:

General Conditions:

1. The time limit for completing the authorized activity ends on **March 24, 2028**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification from this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished with the terms and conditions of your permit.
7. You must notify this office as to the dates of commencement (within 10 days prior to the start of construction) and completion of the activity (within 10 days following the end of construction) using the enclosed forms.

Special Conditions:

1. The permittee shall provide pre-project notification to the Corps prior to any proposed maintenance activity covered by the RGP in the circumstances listed below. Work may not proceed until a Notice to Proceed is issued by the Corps, which may include special conditions requiring additional avoidance, minimization and/or compensatory mitigation requirements as determined on a case-by-case basis:
 - a. Maintenance activities that would result in permanent impact to waters of the U.S. (e.g. new rock protection or other structural repairs that place new permanent fill in waters)
 - b. Maintenance activities that would result in the removal of native tree species greater than 3 inches diameter at breast height.
 - c. Maintenance activities that require dewatering or installation of a temporary surface water diversion.
 - d. Maintenance activities proposed to be conducted between March 15 and September 15 that would remove or are within 100 feet of suitable bird nesting habitat.
2. Pre-project notification, where required, shall include the following information:
 - a. Location of the proposed maintenance activity, including latitude and longitude.
 - b. Complete description of the proposed maintenance activity in relation to the affected water of the U.S.

- c. Any proposed avoidance and minimization measures.
 - d. Results of biological surveys.
3. Maintenance activities within 100 feet of suitable bird nesting habitat shall be conducted outside the nesting season (March 15 through September 15). Work may be conducted during the nesting season upon notification to the Corps and where the absence of nesting birds has been documented by pre-project biological surveys conducted within one week of the initiation of work.
4. The permittee shall complete pre-project biological surveys prior to completing any authorized maintenance activities.
5. This permit does not authorize any regulated maintenance activity that may affect a federally listed threatened or endangered species, or designated critical habitat.
6. The permittee shall prepare an annual report documenting all work completed under the RGP during the prior year. The report shall be submitted no later than January 31 of each year the RGP is in effect and include the following information:
- a. Location of each maintenance operation (latitude and longitude).
 - b. Approximate area of temporary and permanent impact to waters of the United States for each maintenance operation.
 - c. Results of pre-project biological surveys.
 - d. Pre- and post-project photo documentation.
 - e. Status of any mitigation required (following success criteria specified in the associated Notice to Proceed).
7. All imported material used for authorized maintenance, including but not limited to swim beach reestablishment, shall consist of clean material, free of toxic pollutants.

Further Information:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:
- () Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measure ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give you favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Anthony Emmert
Manager, Environmental Planning &
Conservation Department
United Water Conservation District

DATE

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

28MAR2023

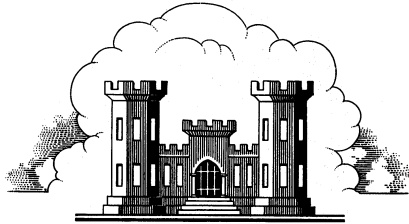
Aaron O Allen, Ph.D
Chief, North Coast Branch
Regulatory Division

DATE

ON BEHALF OF:

JULIE A. BALTEN
District Engineer
Colonel, U.S. Army

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.



DATE

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

**NOTIFICATION OF COMMENCEMENT OF WORK
DEPARTMENT OF THE ARMY PERMIT**

Permit Number: *SPL-2022-00440*

Name of Permittee: *Anthony Emmert, United Water Conservation District*

Date of Issuance: *March 28, 2023*

Date work in waters of the U.S. will commence: _____

Estimated construction period (in weeks): _____

Name & phone of contractor (if any): _____

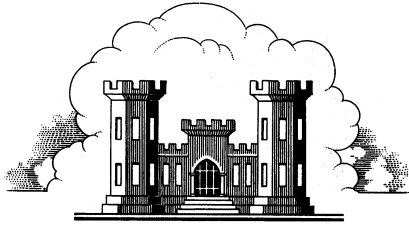
Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this permit you may be subject to permit suspension, modification, or revocation.

I hereby certify that I, and the contractor (if applicable), have read and agree to comply with the terms and conditions of the above referenced permit.

Signature of Permittee

Date

At least ten (10) days prior to the commencement of the activity authorized by this permit, sign this certification and email it to Leison.K.Bernstein@usace.army.mil.



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

**NOTIFICATION OF COMPLETION OF WORK AND
CERTIFICATION OF COMPLIANCE WITH
DEPARTMENT OF THE ARMY PERMIT**

Permit Number: *SPL-2022-00440*

Name of Permittee: *Anthony Emmert, United Water Conservation District*

Date of Issuance: *March 28, 2023*

Date work in waters of the U.S. completed: _____

Construction period (in weeks): _____

Name & phone of contractor (if any): _____

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this permit you may be subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of said permit.

Signature of Permittee

Date

Upon completion of the activity authorized by this permit, sign this certification and email it to Leison.K.Bernstein@usace.army.mil.



Figure 1. The Project Area within and associated with the Lake Piru Recreation Area and Santa Felicia Project.



Figure 2. Locations of culverts that discharges to waters of the U.S.

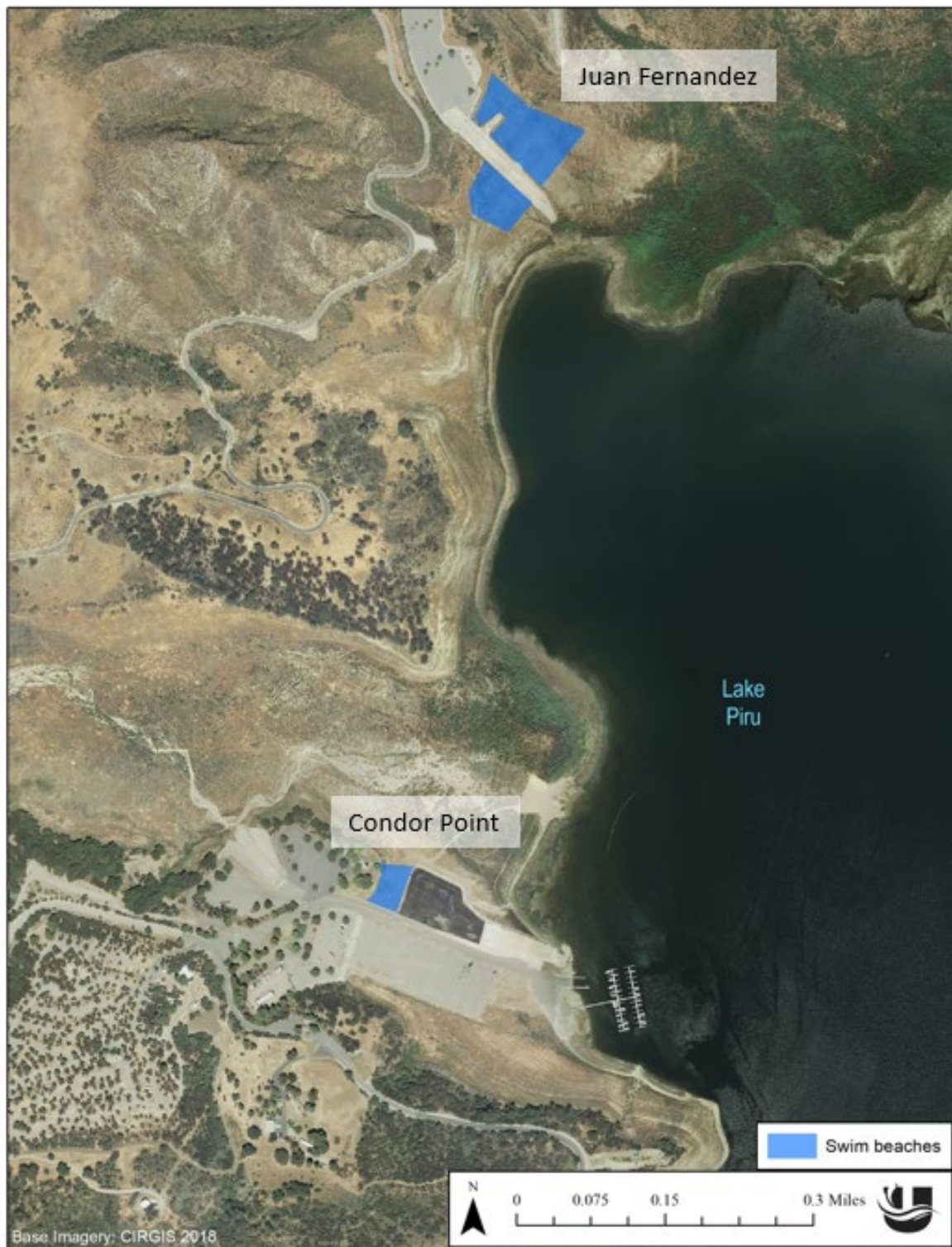


Figure 3. Swim beach locations at Condor Point and Juan Fernandez.