

DEPARTMENT OF THE ARMY PERMIT

Permittee: Riverside County Flood Control & Water Conservation District

Project Name: Regional General Permit No. 99
Routine Operation and Maintenance Program for Low-Impact Facilities

Permit Number: Regional General Permit (RGP) No. 99 (SPL-2013-00688)

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.

After receipt of a Notice to Proceed from this office verifying that your specific maintenance activities comply with the terms and conditions of this RGP, you are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: RGP 99 authorizes routine maintenance of Riverside County Flood Control & Water Conservation District (RCFCWCD) facilities including basins, channels, dams, grade control structures, levees, bank protection (including riprap), headwalls, culverts and appurtenant structures of all of the above that involve a discharge of fill material into waters of the United States pursuant to Section 404 of the Clean Water Act of 1972. Maintenance activities include sediment, debris, and trash removal, slope and erosion repairs, side-slope tracking and/or reshaping, landscape maintenance (where applicable), structure rehabilitation and/or replacement, rip-rap and grout repair, removal and replacement of concrete channel linings, and washout backfill and repair. Temporary access ramps/roads may be installed to complete the above activities. Maintenance activities would not result in a change of capacity and facilities would only be maintained to as-built specifications. The complete list of facilities covered by this RGP is attached as Appendix 1.

Specifically, you are authorized to:

1. Conduct channel and basin/dam maintenance (i.e., sediment and debris removal, erosion repairs, side slope tracking and/or reshaping, and structure rehabilitation/replacement).
2. Conduct landscape maintenance and vegetation control/removal as applicable.
3. Conduct rip-rap repair/installation.

4. Conduct structural inspection/cleaning.
5. Conduct fabrication and repair/installation of headwalls.
6. Conduct removal and replacement of concrete channel linings.
7. Conduct the repair and backfill of washouts and slope repairs.
8. Install temporary surface water diversions to facilitate routine maintenance activities.
9. Install temporary access ramps to facilitate routine maintenance and/or clean-up debris removal activities, including similar activities associated with trash/debris removal.

Project Location: RCFCWCD-managed facilities throughout Riverside County, California (see Appendix 1 for specific locations).

Permit Conditions:

Notification Requirements: RCFCWCD shall submit proposed maintenance activities requested to be authorized by this RGP no less than 45 calendar days before the anticipated maintenance activity (requiring authorization) is to be conducted. The Corps will respond in writing with verification of the use of the RGP (as applicable). The specific maintenance activities described in the request shall be authorized under a notice to proceed (NTP) upon verification that the proposed action complies with the terms and conditions of this RGP. If multiple facilities are submitted by RCFCWCD in one request, the Corps shall authorize the activities under a single notice to proceed (NTP) upon verification that each of the proposed actions complies with the terms and conditions of this RGP. Actions determined not to qualify for the RGP may require review under a separate authorization process (e.g. an alternative RGP, nationwide permit (NWP) or standard individual permit (SIP)). Verification for the use of the RGP for an approved maintenance activity at a facility on the approved list may be assumed if the Corps is unable to respond in writing (by letter or email) within 45 calendar days of the submittal. The 45-day assumption of verification does not apply at any specific facility in which circumstances have changed and either federally threatened or endangered species (or their designated critical habitat) have been discovered, and/or historic properties/cultural resources that may be potentially eligible for listing on the National Register of Historic Places have been discovered.

General Conditions:

1. The time limit for completing the authorized activity ends on November 13, 2023. 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. 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.
5. A conditioned water quality certification was issued for your project on June 13, 2018. 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. Please note the expiration of the certification is five months before this permit. To obtain verification of the use of this permit during those last five months the certification must be re-issued or extended to cover that period.
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.

Special Conditions:

1. No maintenance activity authorized under this RGP shall be implemented until the permittee receives written notification from the Corps (in the form of a notice to proceed) verifying compliance with the terms and conditions of the RGP (*except as specified in this Special Condition). The Corps may at its discretion include additional project-specific special conditions in the notice to proceed to ensure impacts are minimal. The notice to proceed will also indicate whether any specific maintenance activity or activities do not comply with the RGP. The permittee may elect to modify such activities to meet the terms and conditions of the RGP or to apply for separate authorization under an alternative permit process (i.e. nationwide permit, standard individual permit, or other RGP). *Verification for the use of the RGP for an approved maintenance activity at a facility on the approved list may be assumed if the Corps is unable to respond in writing (by letter or email) within 45 calendar days of the submittal. The 45-day assumption of verification does not apply at any specific facility in which circumstances have changed and either federally threatened or endangered species (or their designated critical habitat) have been discovered, and/or historic properties/cultural resources that may be potentially eligible for listing on the National Register of Historic Places have been discovered.
2. This RGP only authorizes maintenance activities for facilities as previously approved and listed on the attached appendix (the approved list), and maintenance is only authorized to the extent necessary to restore the as-built condition of the facility as identified in the original as-built drawings. Minor deviations in the facility's configuration or filled area may be authorized by this

RGP where the Corps has determined the deviation is necessary (e.g. current construction codes or safety standards that are necessary to make the repair or replacement), and the project would still otherwise comply with this RGP.

3. The permittee shall submit the proposed maintenance activities plan no less than 45 calendar days before work is scheduled to be conducted as authorized by this RGP. Supplemental plans may be submitted to address maintenance actions that are unforeseen at the time of the original submission. Activities proposed in any supplemental plan(s) shall also require written verification from the Corps before work is authorized to begin as stipulated in Special Condition 1.

Maintenance plans submittals and any supplements shall include the following information:

- a. List of proposed maintenance activities to be implemented including the name of each facility where maintenance is proposed;
- b. maps and drawings clearly depicting location, proposed work limits and impacts of each maintenance activity prepared in accordance with the Corps Los Angeles District Map and Drawing Standards;
- c. environmental Best Management Practices (BMPs) to be implemented at each maintenance activity;
- d. total area of impacts to waters of the United States and associated habitat types at each maintenance activity;
- e. approximate dates and duration of each maintenance activity;
- f. proposed compensatory mitigation (if required);
- g. disposal sites for any sediment/debris excavated from a facility in excess of 25 cubic yards.

4. The permittee shall submit a compliance report of all maintenance activities authorized under the RGP during the previous year no later than July 31. The compliance report shall include the following information:

- a. Summary of all authorized maintenance activities completed under the RGP, including: locations and dates of work, type of activity, quantity of sediment removed, quantity and type(s) of vegetation removed, and total area of impact at each location;
- b. summary of any authorized maintenance activities not completed and their status (postponed, in-progress, etc);
- c. compliance with BMPs applied to each completed maintenance activity;
- d. representative “before and after” photographs of completed maintenance activities;

5. The permittee shall fully implement all environmental BMPs as applied at each maintenance activity described in the annual work plan and any addenda.

Further Information:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:

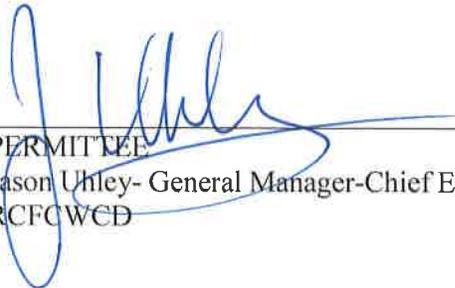
- () Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need 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.



PERMITTEE
Jason Uhley- General Manager-Chief Engineer
RCFCWCD

11-13-18

DATE

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

David J. Castanon
Chief, Regulatory Division
Los Angeles District

13 November 2018

DATE

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.

TRANSFEREE

DATE