

PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS LOS ANGELES DISTRICT

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APPLICATION FOR PERMIT Coachella Valley Stormwater Channel Improvement Project

Public Notice/Application No.: SPL-2018-00300-MRL Project: Coachella Valley Stormwater Channel Improvement Project (Avenue 54 to Thermal Drop Structure) CVWD WRDA Comment Period: November 1, 2018 through December 1, 2018 Project Manager: Stephen Roethle; (760) 602-4835; <u>Stephen.R.Roethle@usace.army.mil</u>

Applicant

Steve Bigley Coachella Valley Water District PO Box 1058 <u>Contact</u>

William Patterson Coachella Valley Water District PO Box 1058

Coachella, California 92236

Coachella, California 92236

Location

The project is located in the unincorporated community of Thermal, Riverside County, CA (at: 33.64836, -116.14086).

Activity

To conduct stormwater channel improvements in the Coachella Valley Stormwater Channel. (see attached drawings). 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. Comments should be mailed to:

DEPARTMENT OF THE ARMY LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS REGULATORY DIVISION ATTN: Stephen Roethle 5900 LA PLACE COURT, SUITE 100 CARLSBAD, CA 92008

Alternatively, comments can be sent electronically to: <u>Stephen.R.Roethle@usace.army.mil</u>

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

<u>EIS Determination</u>- A preliminary determination has been made an environmental impact statement is not required for the proposed work.

<u>Water Quality</u>- 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 any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

<u>Coastal Zone Management</u>- This project is located outside the coastal zone and preliminary review indicates it 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 is affected by the proposed project.

<u>Cultural Resources</u>- 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 would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

<u>Public Hearing</u>- 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

<u>Basic Project Purpose</u>- 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 to conduct channel maintenance. The project is not water dependent.

<u>Overall Project Purpose</u>- 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 construct channel improvements to increase water conveyance capacity in the project reach to the 100-year flow and meet current Coachella Valley Water District design standards for stormwater management facilities.

Additional Project Information

<u>Baseline information-</u> The project is located within a soft-bottomed section of the Coachella Valley Stormwater Channel. This channel is maintained on a regular basis, with the removal of sediment and vegetation to keep the channel capacity at the maximum for flood control.

<u>Project description-</u> The project involves the improvement of the Coachella Valley Stormwater Channel from Avenue 54 at the north to the Thermal Drop Structure located between Avenues 57 and 58 to reduce the flood hazard associated with a 100-year event. Improvements to the stormwater channel will include reinforced concrete-lined side slope protection extending from 130+/- feet downstream of the Thermal Drop Structure. In addition, the invert elevation of the channel will be lowered to increase channel conveyance capacity.

Scour protection and conveyance capacity require channel bottom lining under the Airport Boulevard bride approximately 150 feet upstream and approximately 200 feet downstream. Channel lining is also planned from approximately 600 feet upstream of the northernmost UPRR Bridge to approximately 500 feet downstream of the Highway 111 Bridge.

Proposed channel lining begins approximately 200 feet upstream of the Airport Boulevard Bridge. The channel bottom will be lowered by five feet starting at the lining and proceed to the downstream terminus of the project channel improvements. The existing Thermal Drop Structure will be removed from the channel. A buried cutoff wall will be constructed at the south end of the channel lining and will extend beneath the UPRR and SR 111 Bridges.

<u>Proposed Mitigation</u>– 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:

No mitigation is currently proposed as the project not result in the loss of waters of the U.S. Avoidance and minimization has been incorporated into the design and the best management practices during construction.

For additional information please call Stephen Roethle of my staff at (760) 602-4835 or via email at <u>Stephen.R.Roethle@usace.army.mil</u>. 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 LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS 5900 LA PLACE COURT, SUITE 100 CARLSBAD, CA 92008 WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY





Area Location Map Coachella Valley Water District

PLANNING & RESEARCH, INC.



















