



PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

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PROPOSED REGIONAL GENERAL PERMIT Regional General Permit No. 90:

Orange County Water District (OCWD) Groundwater Recharge Facilities Maintenance

Public Notice/Application No.: SPL-2012-00066-JPL

Comment Period: January 18, 2013 through February 18, 2013

Project Manager: Jason Lambert; 213-452-3361; Jason.P.Lambert@usace.army.mil

Applicant

Daniel Bott
Orange County Water District
18700 Ward Street
Fountain Valley, California 92708

Location

The proposed activity would occur within the service area boundaries of the Orange County Water District (OCWD), Orange County California. Within the service area, OCWD presently conducts groundwater management operations at 24 earthen groundwater recharge basins and along segments of the Santa Ana River and Santiago Creek. The locations of the recharge facilities are listed in Table 1 and shown in Figure 1.

Activity

To establish Regional General Permit 90 (RGP 90) for the routine maintenance of OCWD Groundwater Recharge Facilities, including the following activities: (1) accumulated sediment disturbance and removal; (2) native and non-native vegetation removal; (3) maintenance and repair of existing access roads and ramps; (4) maintenance of existing water conveyance structures; and (4) sand levee creation and repair. For more detail information of each routine maintenance activity see page 7 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 of 1972 (33 U.S.C. 1344). Comments should be mailed to:

Los Angeles District, Corps of Engineers
P.O. Box 532711
Los Angeles, California 90053-2325

Alternatively, comments can be sent electronically to: Jason.P.Lambert@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 would be 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. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency.

Coastal Zone Management- This project is located outside the coastal zone and preliminary review indicates that it would not affect coastal zone resources. After a review of the comments received on this public notice and in consultation with the California Coastal Commission, the Corps will make a final determination of whether this project affects coastal zone resources after review of the comments received on this Public Notice.

Essential Fish Habitat- Preliminary determinations indicate the proposed activity would not adversely affect essential Fish Habitat. Therefore, formal consultation under Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) is not required at this time.

Cultural Resources- Activities that could affect historic properties listed, proposed for listing, or potentially eligible for listing in the National Register of Historic Places would not be authorized until the District Engineer (DE) in conjunction with the State Historic Preservation Officer (SHPO), the Tribal Historical Preservation Officer (THPO), and/or Advisory Council for Historic Preservation (ACHP) has determined that the requirements of the National Historic Preservation Act have been satisfied.

In general, it is the position of the District Engineer that project sites were previously disturbed sites. As such, cultural resources that could have occurred at any of the site(s) would have already been affected through the construction and subsequent maintenance of the subject facilities, and that further adverse impacts through authorized actions would be unlikely. In certain cases, maintenance activities could benefit cultural resources by reducing erosion. Minimization of erosion could help protect in place any unknown remaining buried cultural resources, which could provide a beneficial effect on such resources. The District Engineer hereby requests the State Historic Preservation Officer's comments on the proposed action.

Endangered Species- Preliminary determinations indicated that the proposed activity was not likely to adversely affect federally listed endangered or threatened species, or their critical habitat. Informal Section 7 consultation was initiated with the U.S. Fish and Wildlife Service (FWS), and the FWS confirmed the Corps determination on November 19, 2012.

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 Action - The purpose of this RGP is to allow the OCWD to complete various routine maintenance activities (see Tables 1 and 2) similar to those authorized under Nationwide Permit 3. Examples include but are not limited to the following activities:

1. Sediment disturbance and removal: Sediment disturbance could occur under a dry condition or wet condition. Under the dry condition, the recharge facilities would be drained and dried out, and sediment and silt on the bottom and side walls of the basins would be broken up and/or scraped and removed by heavy construction equipment. Under a wet condition, a submerged cleaning device would vacuum silt from the basin bottom simultaneous with its accumulation. This type of system would operate while the basin remains full and is percolating water through its bottom.
2. Vegetation removal: Vegetation removal would occur through native and non-native vegetation removal along the banks of existing recharge basin facilities and around existing water conveyance structures. A combination of hand tools, mechanical vegetation cutters and heavy equipment would be used to remove vegetation.
3. Maintenance and repair of existing access roads and ramps: Maintenance and repair of existing access roads and ramps would consist of heavy equipment such as dozers and scrapers being used to re-grade and repair access roads and ramps.
4. Maintaining existing water conveyance structures: The maintenance of existing water conveyance structures includes culverts, transfer tubes, inlet and outlet structures, weirs, flumes, sluice gates, trash racks, rubber dams, rip rap, grade stabilizers, sump pumps and valves. Maintenance activities would not include the construction of new water conveyance structures or the replacement of existing structures that would involve a larger construction footprint.
5. Sand levee creation and repair: Heavy construction equipment would be permitted to operate in the water to create and repair sand levees.

Table 1: OCWD Existing Groundwater Recharge Facilities

Facility	Size (Wetted Acres)	Location	USGS	Latitude/ Longitude
Anaheim Lake	74.0	Tustin Ave. @ Miraloma Ave	Orange-T4S/R9W	33 51 58/ 117 50 51
Burriss Basin	99.2	Ball Road & SR 57	Orange T4S/R9W	33 49 31/ 117 52 13
Conrock Basin	19.6	Richfield Rd. @ La Palma Ave.	Orange-T4S/R9W	33 51 20/ 117 49 36
Five Coves Dam	32.2	Lincoln Ave. @ Kingsley St.	Orange T4S/R9W	33 50 27/ 117 51 38
Fletcher Basin	4.89	Fletcher Ave. @ Batavia St.	Orange T4S/R9W	33 49 41/ 117 51 35
Huckleberry Basin	21.7	Taylor St. @ La Palma Ave. La Palma	Orange-T4S/R9W	33 51 26/ 117 49 17
Kraemer Basin	29.0	Miraloma Ave. @ Kraemer Blvd.	Orange T4S/R9W	33 51 37/ 117 51 27
La Jolla Basin	5.6	La Jolla St. @ Red Gum St.	Orange T3S/R9W	33 51 38/ 117 52 09
Lincoln Basin	8.3	Lincoln Ave. @ Andaluse Ave.	Orange T4S/R9W	33 55 02/ 117 51 55
Little Warner Basin	9.8	La Palma Ave. @ Van Buren	Orange-T4S/R9W	33 51 02/ 117 50 03

Facility	Size (Wetted Acres)	Location	USGS	Latitude/ Longitude
Miller Basin	20.9	Miraloma Ave. @ Miller Street	Orange T4S/R9W	33 51 52/ 117 51 21
Mini Anaheim Lake	5.5	Tustin Ave. @ Miraloma Ave.	Orange T4S/R9W	33 51 59/ 117 50 35
Miraloma Basin	13.0	Miraloma Ave. @ Kraemer Blvd.	Orange T4S/R9W	33 51 40/ 117 49 31
Off-River Basin	64.4	Tustin Ave. @ SR91	Orange- T4S/R9W	33 51 12/ 117 49 31
Olive Basin	4.6	SR-91 @ Tustin Avenue	Orange T4S/R9W/S5	33 50 59/ 117 50 25
Placentia Basin	6.9	State College @ Orangethorpe	Anaheim T4S/R10W	33 51 28/ 117 53 10
Raymond Basin	13.3	La Palma Street/East St.	Anaheim T4S/R10W	33 50 55/ 117 54 29
Riverview Basin	3.5	Batavia Street @ Fletcher Avenue	Orange T4S/R10W	33 49 26/ 117 51 58
Santa Ana River Reach 2	96.2	Imperial Highway to SR 91	Orange T3,4S/R9W	33 51 23/ 117 48 49
Santa Ana River Reach 3	73.2	SR 91 to Lincoln Ave.	Orange T4S/R9,10W	33 50 38/ 117 51 08
Santa Ana River Reach 4	50.8	Lincoln Ave. to Ball Road	Orange T4S/R9,10W	33 49 29/ 117 52 00
Santa Ana River Reach 5	52.6	Ball Road to Orangewood Avenue	Anaheim T4S/R10W	33 47 59/ 117 52 38
Santa Ana River Reach 6	18.79	Orangewood Avenue to Chapman Avenue	Anaheim T4S/R10W	33 47 28/ 117 52 51
Santiago Basin	166.2	Prospect Avenue @ Bond Street	Orange T4/R9/S16	33 48 15/ 117 48 23
Santiago Creek Reach 1	2.7	Chapman Avenue Crossing	Orange- T4S/R9W/	33 47 22/ 117 49 41
Santiago Creek Reach 2	4.9	SR 55 to Tustin Street	Orange- T4S/R9W	33 46 55/ 117 50 01
Santiago Creek Reach 3	2.6	Cambridge Street to Schaffer Street	Orange – T4S/R9W	33 46 44/ 117 50 49
Warner Basin	68.4	La Palma Ave. @ Van Buren	Orange- T4S/R9W	33 51 14/ 117 49 54
Weir Pond 1	5.4	Imperial Hwy. @ La Palma Ave.	Orange- T4S/R9W	33 51 24/ 117 48 11
Weir Pond 2	6.4	Imperial Hwy. @ La Palma Ave.	Orange- T4S/R9W	33 51 26/ 117 48 09
Weir Pond 3	15.7	Taylor St. @ La Palma Ave.	Orange T4S/R9W	33 51 24/ 117 48 56
Weir Pond 4	4.0	Taylor St. @ La Palma Ave.	Orange- T4S/R9W	33 51 21/ 117 49 05

Additional Project Information

Baseline information The Orange County Groundwater Recharge Facilities Maintenance Plan area is located in north and central Orange County and includes groundwater recharge facilities in the cities of Anaheim and Orange and unincorporated Orange County. The recharge facilities include segments of Santa Ana River and Santiago Creek and 24 earthen recharge basins. The recharge basins range in size from 3.5 acres to 99 acres and range in depth from approximately 5 feet to 60 feet. The recharge facilities' locations are shown on Figure 1 and listed in Table 1.

The Santa Ana River is the primary source of water to recharge the Orange County Groundwater Basin. The segment of the Santa Ana River within the proposed project area has previously been improved with drop structures and other flood control structures. The river bottom consists entirely of a sand substrate. The banks of the river are lined with rip rap (both grouted and ungrouted) and they are minimally vegetated. Intermittent fresh water marsh vegetation does occur along some segments of the river during the spring and summer months. However, it commonly washes out during the winter flows events.

The recharge facilities are located within, adjacent to, and inland of the Santa Ana River within more urbanized areas. In these areas both large and small mammals as well as an assortment of amphibians and reptile species are known to occur. The vegetation around the basins consists of a mix of non-native weeds and native vegetation. A considerable amount of the native vegetation occurring around the perimeter of the recharge basins is riparian scrub that has low biological value. However, some basins such as Burris Basin, Conrock Basin, Huckleberry Basin, and Santiago Basin contain significant amounts of native vegetation that have high biological value. Additionally, along the Santa Ana River and the Off-River Channel intermittent native and non-native freshwater marsh vegetation occurs.

The recharge facilities situated in the more urban locations, such as La Jolla Basin, Raymond Basin, Placentia Basin and Fletcher Basin contain minimal habitat and function as islands that do not provide linkages to other open space resources. Most of the inland recharge basins are void of vegetation, but a few do contain varying amounts of native and non-native scrub vegetation along the banks of the basins. However, because of ongoing groundwater management operations and ongoing routine maintenance activities most of the recharge facilities are in a disturbed condition and generally minimal or no wildlife occurs at the inland recharge facilities, except those that use the open water as an environment.

The Santa Ana River attracts a wide variety of bird species. The river provides a source of food as well as a travel path for birds to both coastal and inland areas. Most of the bird species are closely associated with riparian and open-water habitats. Additionally, the levees in the Santa Ana River maintained by OCWD provide habitat for shore birds and water fowl during the nesting season. Within maintenance plan area three Federal Listed species have the potential to occur. These species include, Least Bell's vireo (*Vireo belli pusillus*), Coastal California Gnatcatcher (*Polioptila californica*) and California Least Tern (*Sternula antillarum*).

The segment of the Santa Ana River and Santiago Creek within the proposed permit area and the recharge basins all lack suitable habitat to support native fish species, such as the Santa Ana Sucker (*Catostomus santaanae*), Arroyo Chub (*Gila orcutti*) or Santa Ana Speckled Dace (*Rhinichthys osculus*). Several of the basins adjacent to the Santa Ana River contain populations of non-native fish species. The fish enter the basins from diverted surface water flows of the Santa Ana River, by people discarding pet fish into the basins, or by birds. Warner Basin and Anaheim Lake are stocked with non-native fish and allow commercial fishing concession for the public. Commonly found fish species

include carp, (*Cyprinus carpio*), fathead minnow (*Pimaphales*), green sunfish (*Lepomis cyanellus*), largemouth bass (*Micropterus salmoides*), bluegill (*Iepomis macrochirus*), threadfin shad (*Dorosoma petenense*), Channel Catfish (*Ictalurus ounctatus*) and tilapia (*Oreochromis sp.*)

Project description- The Corps proposes to establish a RGP to complete maintenance activities in order to maintain the proper function of OCWD's groundwater recharge basins. In order to achieve this, the following modified maintenance activities are proposed for implementation: (1) Sediment disturbance and removal; (2) vegetation removal; (3) maintenance and repair of existing access roads and ramps; (4) Maintenance of existing water conveyance structures; and (5) sand levee creation and repair. The potential impacts associated with the proposed maintenance of basins will depend on the environmental/climatic conditions, and the nature and extent of the maintenance activity. Proposed temporary impacts to the basins from the proposed maintenance activities may total approximately 1005 acres of "waters of the U.S." over a five-year period. Proposed permanent impacts associated with the continual suppression of wetland vegetation would total 4.42 acres of jurisdictional waters of the U.S.

The following is a description of the proposed activities and associated maintenance practices:

1. Sediment Disturbance - The sediment disturbance maintenance activity would be permitted under a dry condition or wet condition. Under the dry condition, the recharge facilities would be drained and dried out, and sediment and silt on the bottom and side walls of the basins would be broken up and/or scraped and removed by heavy construction equipment. Under a wet condition, a submerged cleaning device vacuums silt from the basin bottom simultaneous with its accumulation. This type of system would operate while the basin remains full and is percolating water through its bottom.
2. Vegetation Removal - The proposed permit includes non-native vegetation removal activities along the banks of existing recharge basin facilities and around existing water conveyance structures. A combination of hand tools, mechanical vegetation cutters and heavy equipment would be permitted to be used to remove vegetation.
3. Maintenance and Repair of Existing Access Roads and Ramps - The proposed permit would include the maintenance and repair of existing dirt access roads and ramps that provide access into OCWD recharge facilities. Heavy equipment such as dozers and scrapers would be permitted to be used to re-grade and repair access roads and ramps.
4. Maintaining Existing Water Conveyance Structures - The proposed permit would include the maintenance of existing water conveyance structures, including culverts, transfer tubes, inlet and outlet structures, weirs, flumes, sluice gates, trash racks, rubber dams, rip rap, grade stabilizers, sump pumps and valves. Maintenance activities would not include the construction of new water conveyance structures or the replacement of existing structures that would involve a larger construction footprint.
5. Sand Levee Creation and Repair - The proposed permit groundwater recharge facilities maintenance plan authorizes the creation and repair of sand levees along the Santa Ana River. Heavy construction equipment would be permitted to operate in the water to create and repair sand levees.

Table 2 Proposed Routine Maintenance Activities

Basin	Sediment Disturbance/ Removal	Vegetation Removal	Maintain Access Ramps	Maintain Existing Structures	Sand Levee Creation/Repair
Anaheim Lake	X	X	X	X	
Burriss Basin	X		X	X	
Conrock Basin	X		X	X	
Five Coves Basin	X		X	X	
Fletcher Basin	X		X	X	
Huckleberry Basin	X		X	X	
Kramer Basin	X	X	X	X	
La Jolla Basin	X		X	X	
Lincoln Basin	X		X	X	
Little Warner Basin	X			X	
Miller Basin	X		X	X	
Mini Anaheim Lake	X		X	X	
Miraloma Basin	X		X	X	
Off-River Channel	X		X	X	
Olive Basin	X		X	X	
Placentia Basin	X			X	
Raymond Basin	X			X	
Riverview Basin	X		X	X	
Santa Ana River			X	X	X
Santiago Basin	X		X	X	
Santiago Creek	X				
Warner Basin	X	X	X	X	
Weir Pond 1	X	X		X	
Weir Pond 2	X	X		X	
Weir Pond 3	X	X		X	
Weir Pond 4	X	X		X	

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 and Minimization Measures:

- Between March 15th and September 15th, prior to maintenance activities, a qualified onsite biologist shall confirm the presence of any active nests within 300 feet of the maintenance activity area. If no nesting birds are observed within 300 feet of maintenance activity area, the maintenance activity may proceed. If active nests are observed within 300 feet of the maintenance activity area, the onsite biologist shall determine if the maintenance activity can proceed without resulting in significant direct impacts or result in nest abandonment. If it is determined that the maintenance activity could result direct impacts to the nest or cause nest abandonment, a 300-foot buffer shall be maintained. If threatened or endangered species are observed in the maintenance activity area, no maintenance activities shall occur within 500 feet of the nest or until the time the nest is no longer active.

- Hand tools shall be utilized to the maximum extent possible when conducting vegetation removal that is adjacent to native habitat. Mechanical vegetation cutters and shredders, heavy equipment, and/or herbicides shall be used only when necessary to remove large vegetation or types of vegetation that are not responsive to hand removal. Any herbicides utilized within jurisdictional areas shall be registered by the California Department of Pesticide Regulation for aquatic use in California.
- Dust control BMPs shall be implemented to stabilize exposed surfaces and minimize activities that suspend or track dust particles. Such measures would include regular watering of exposed soils, suspending grading operations when winds exceed 25 miles per hour and limiting construction traffic on exposed surfaces to 15 miles per hour.
- Equipment Delivery and Storage procedures and practices shall be implemented to reduce or eliminate the discharge of pollutants to the storm water system or water course. Such measures include; minimizing the storage of hazardous materials onsite, storing materials in designated areas, and installing primary and secondary containment measures around staged construction equipment.
- Vehicle and equipment cleaning procedures shall be implemented to eliminate or reduce the discharge of pollutants to storm water from vehicle and equipment operations. Procedures include but are not limited to using offsite facilities, washing in designated contained areas only, and eliminating discharges to the storm drain.
- Vehicle equipment fueling procedures and practices shall be implemented to prevent fuel spills and leaks and reduce or eliminate contamination of storm water. Procedures include; ensuring that all equipment operating within or adjacent to groundwater recharge facilities is maintained daily to prevent leaks, using off site facilities for equipment fueling , fueling in designated areas only, enclosing or covering stored fuel and implementation of spill controls.
- Best Management Practices (BMPs) shall be implemented to prevent erosion and the discharge of sediment into downstream receiving water bodies. BMPs shall include stabilize construction entrance/exit, installation of fiber rolls, placement of sand bags at drainage inlets to storm drain system BMPs shall be monitored daily and repaired if necessary to ensure maximum erosion and sediment control.
- Stockpile Management procedures shall be implemented to reduce or eliminate air and storm water pollution from stock piles of soil. Stock piles shall be a minimum of 50 feet away from concentrated flows of storm water, and drainage courses. Stock piles shall be protected by using temporary perimeter sediment barrier.
- Solid waste management procedures shall be implemented to prevent or reduce the discharge of pollutants to storm water from solid or construction waste by providing designated waste collection areas and containers and arranging for regular disposal.
- Storm water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities shall not to enter a lake, streambed, or flowing stream or be placed in locations that may be subjected to high storm flows.

- Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from project related activities shall be prevented from contaminating the soil and/or entering the waters of the State. These materials, placed within or where they may enter a lake, streambed, or flowing stream by the Permittee or any party working under contract or with the permission of the Permittee, shall be removed immediately.

Compensation: Temporary impacts associated with the proposed RGP are preliminarily determined to not need compensatory mitigation. However, OCWD has proposed to enhance 29.5 acres of jurisdictional waters of the U.S. in order to compensate for proposed project impacts. Additionally, OCWD has proposed to preserve 77 acres of jurisdictional waters of the U.S. in order to offset the proposed project impacts.

Proposed General Conditions

1. The activity authorized by this permit must be maintained in good condition and in conformance with the terms and conditions of this permit. Should the Permittee wish to cease to maintain the authorized activity or desire to abandon it without a good faith transfer, a modification must be obtained from this permit from this office, which may require restoration of the area.
2. 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.
3. 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.
4. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
5. You must allow representatives from this office to inspect the activities authorized by this RGP at any time deemed necessary to ensure that they are being or have been accomplished according to the terms and conditions of your permit.
6. Authorization of an activity by a RGP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the USFWS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the USFWS.
7. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.) and material used for construction or discharged must be free from toxic pollutants in toxic amounts.

Proposed Special Conditions

No additional special conditions are proposed at this time.

For additional information please call Jason Lambert of my staff at 213-452-3361 or via e-mail at Jason.P.Lambert@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.



Regulatory Program Goals:

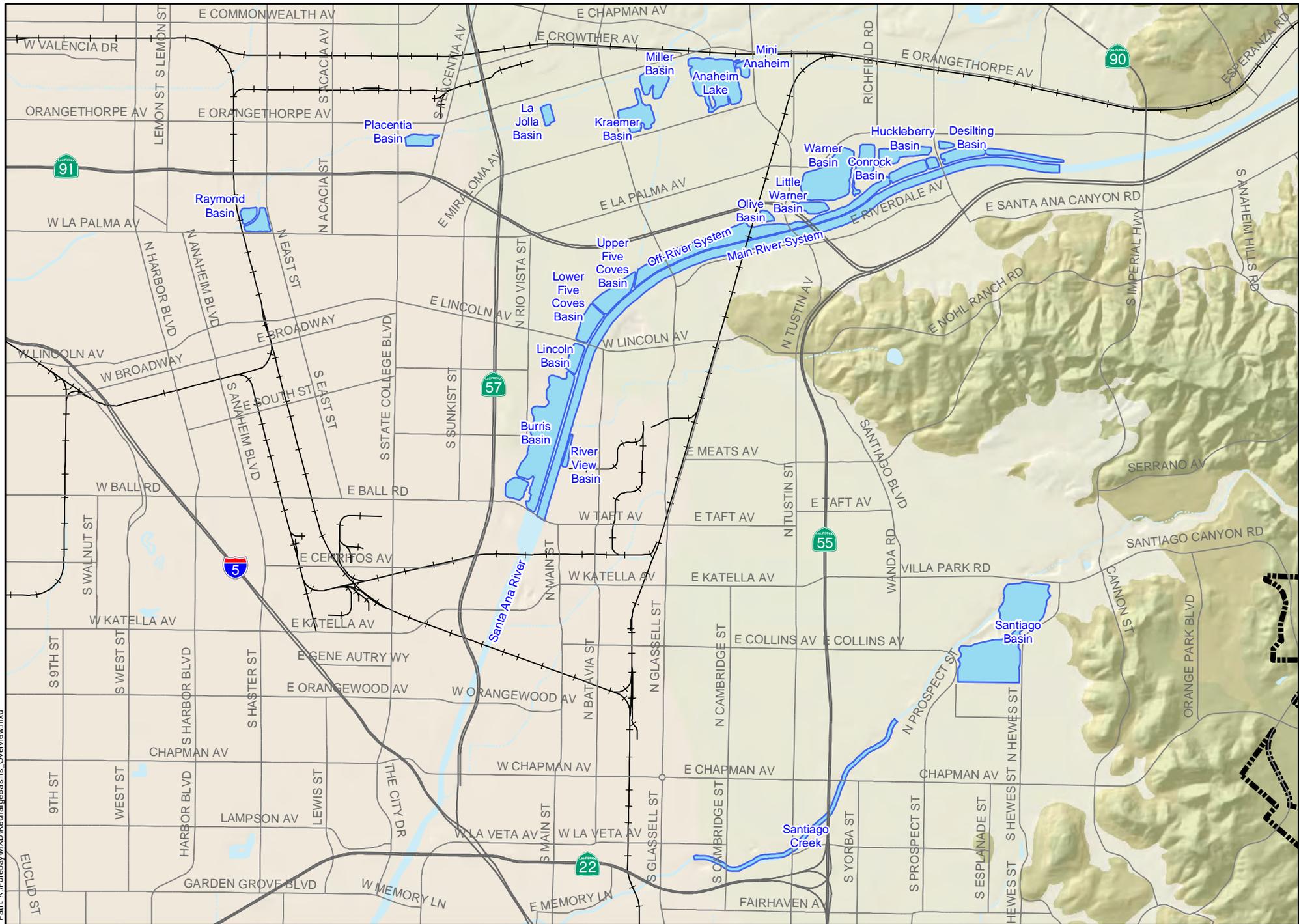
- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

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

P.O. BOX 532711

LOS ANGELES, CALIFORNIA 90053-2325

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 Recharge Facility Areas

 OCWD Boundary

OCWD Recharge Basins

