



PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR PERMIT Rossmoor Storm Channel Improvement Project

Public Notice/Application No.: SPL-2011-00862-JPL

Comment Period: March 15, 2013 through April 15, 2013

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

Applicant

Nardy Khan
OC Public Works
300 N. Flower Street
Santa Ana, California 92703-5000

Location

The proposed Rossmoor Storm Channel Improvement Project site is located adjacent to Orangewood Avenue and Cherry Street within the city of Los Alamitos, Orange County California (at: latitude: 33.79689, longitude: -118.06865).

Activity

To complete improvements to the Rossmoor Storm Channel between Los Alamitos Boulevard and Rochelle Street by restoring the channel slopes and lining the channel with concrete. The proposed project would excavate approximately 1,900 cubic yards (cy) of sediment from the channel. The project would also include the removal of existing rip rap, the restoration of the earthen slopes, and the construction of a reinforced concrete trapezoidal channel. The project would require dewatering using a coffer dam and pipes in order to divert the flow around the construction site, and a pump, if needed to remove water from the construction area. For more information see page 3 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. 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 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 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- 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. The Corps has preliminarily determined that the proposed project has no potential to affect cultural or historical resources.

Endangered Species- Preliminary determinations indicate that 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.

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). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material in to a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). Because no fills are proposed within special aquatic sites, identification of the basic project purpose is not necessary. The basic project purpose for the proposed project is stormwater management. The project is not water dependent.

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 repair failing slopes and to resolve a grade issue which results in stagnant water within Rossmoor Channel between Los Alamitos Boulevard and Rochelle Street.

Additional Project Information

Baseline information- Rossmoor Channel is located in northwestern Orange County within the city of Los Alamitos. The channel was constructed in 1957 by the Orange County Flood Control District as an earthen and trapezoidal channel with side slopes at a 1.5 to 1 ratio. Channel depth was designed at 7 feet, and the base width of the channel on the project site is 5 feet. The channel was constructed with two 90-degree bends. One of these bends is concrete-lined and the other is lined with rock rip rap. Rossmoor Channel was designed to convey flows from the surrounding residential community and the channel discharges into Los Alamitos Channel (CO1). Because of channel degradation, the invert elevation at the segment adjacent to Orangewood Avenue is at a higher elevation than the upstream reach of the channel, leading to water movement and vector concerns

The channel is located within an urban location, and functions as an island that does not provide linkages to other open space resources. The channel is minimally vegetated, with sparse amounts of ruderal (weedy) vegetation along the banks of the channel. However, because of ongoing routine maintenance activities the channel is in a disturbed condition and generally minimal or no wildlife occurs at the site.

Project description- The proposed project would consist of improvements to the Rossmoor Storm Channel between Los Alamitos Boulevard and Rochelle Street. Proposed project activities would include restoring the channel slopes and lining the channel with concrete. The proposed excavation volume is estimated to be 1,900 cubic yards (CY). The project would involve the removal of existing rip rap, the restoration of the earthen slopes, and the construction of a reinforced concrete trapezoidal channel. The project would also require dewatering using a coffer dam and pipes to divert the flow around the construction site, and a pump, if needed to remove water from the construction area. The construction equipment used would include backhoes, compactors, concrete trucks, and may include concrete placers, depending upon the contractors, for the duration of the project. The construction access would be located at the eastern end of Orangewood Avenue at the entrance to the Armed Forces Training Base (Base) adjacent to the project site. A staging area would also be located on the Base. Approximately two backhoes would work simultaneously to excavate, re-grade, load, and spread sub-base materials during the beginning phase of the project as part of restoring the earthen side slopes and in preparation for the concrete placement of the trapezoidal channel.

Compaction activity would follow and would be accomplished prior to concrete placement on the channel invert. Subsequently would be the construction of the channel walls. It is anticipated that channel walls would be shotcreted (a process of using a high-pressure air system powered by a generator or air compressor to spray concrete onto wall surfaces, while concrete trucks simultaneously feed the premixed concrete into the system, which is then pumped through a hose held by a nozzle-man). Alternatively, the contractor may utilize concrete paving equipment in place of shotcreting the channel walls, in which case, it is estimated that one concrete paving machine would be utilized for the entire project.

Preliminary Project Alternatives

The applicant has submitted the following preliminary project alternatives. Additional alternatives may be required as a part of the NEPA analysis for the proposed project.

Alternative 1: Trapezoidal Reinforced Concrete Channel with Planting Terrace Alternative

The Applicant's Preferred Alternative involves restoring the channel slopes and lining the channel with shotcrete. This design would be consistent with the improvements completed for the reach immediately upstream of Rochelle Street. As a part of the proposed alternative, a small drainage/planting bench would be constructed within the channel (as shown in attached Figure 4), which would offer an opportunity to re-establish vegetation along the channel, create additional habitat, and treat runoff from the surrounding service area. This alternative would result in permanent impacts to 0.59 acre of jurisdictional waters of the U.S. over the 2,543 linear feet of the proposed project site.

Alternative 2: Channel Re-grading Alternative

The Channel re-grading Alternative is a temporary repair of the slopes of Rossmoor Channel within the project reach. As the channel would remain earthen and the longitudinal channel invert slope remains nearly flat, erosion of the channel slopes and invert is expected to continue over time. The applicant has predicted that maintenance issues and stagnant water problems would return after a few major storm events. This proposed alternative would result in temporary impacts to 0.53 acres of jurisdictional waters on the project site as a part of the channel maintenance.

Alternative 3: Rip rap Alternative

The Rip rap Alternative consists of restoring the channel slopes and invert and placement of rip rap on the channel side slopes to stabilize the embankments. Hydraulic analysis indicated that this alternative decreases channel hydraulic capacity due to an increase in roughness coefficient and an increase in the likelihood of flooding adjacent properties. Historically, rip rap was placed on the eroded embankment at various locations in order to protect the slopes; however, gravity and rainfall has washed that material into the invert and has created localized areas of ponding water. Regrading the channel would be required to improve flow and circulation. This alternative would result in 0.53 acre of permanent impacts to waters of the U.S., and much of the work could be addressed as maintenance.

Alternative 4: Rectangular Reinforced Concrete (U) Channel Alternative

The Rectangular Reinforced Concrete (U) Channel Alternative requires the removal of approximately 10,715 cubic yards of material to accommodate the installation of a proposed rectangular concrete channel. This alternative would result in permanent impacts to all 0.59 acre of waters of the U.S. onsite. This would differ from Alternative 1 in that the channel shape would be modified to a rectangular channel with vertical walls as a part of this alternative.

Alternative 5: No Project Alternative

Under the No Project Alternative, improvement or restoration of the earthen channel reach from the existing transition structure at Los Alamitos Boulevard to the upstream concrete transition structure immediately downstream of Rochelle Street would not occur. Under this alternative, the channel slopes and invert within this reach would continue to erode and maintenance activities would increase as a result of cumulative erosion, sedimentation, and potential failure of channel embankments. Odor and vector problems would also continue and adjacent property loss may occur as slope erosion increases.

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: Because the proposed project seeks to alleviate degradation within the Rossmoor Storm Channel, the proposed project is site-specific; therefore, impacts to waters within the channel are unavoidable. The degree of impact, i.e., permanent or temporary depends would depend on the alternative selected. Under the proposed alternative, no avoidance is proposed.

Minimization: The applicant proposes to divert flows around the construction area and standard best management practices for erosion control would be implemented. The contractor would be required to conform to the Standard Specification for Public Works Construction (Greenbook) regarding erosion control. A Storm Water Pollution Prevention Plan (SWPPP) containing an erosion and sediment control plan would also be prepared. Storing of fuels and other hazardous materials would be located away from the channel, and no equipment maintenance or fueling would take place within the channel.

Compensation: The proposed project would permanently impact 0.59 acres of jurisdictional Waters of the U.S., however the existing condition of the channel is severely degraded. At this time, the applicant has not proposed any mitigation to offset the proposed project implementation. As a part of the review process, the Corps would determine if compensatory mitigation is warranted for the project impacts.

Proposed Special Conditions

The following list is comprised of proposed Permit Special Conditions, which are required of similar types of projects:

1. Within 60 days following permit issuance for Standard Individual Permits or within 60 days following written Corps approval of the mitigation plan for General Permits, you shall provide to this office GIS data (polygons only) depicting the boundaries of all compensatory mitigation sites, as authorized in the above, final mitigation plan. All GIS data and associated metadata shall be provided on a digital medium (CD or DVD) or via file transfer protocol (FTP), preferably using the Environmental Systems Research Institute (ESRI) shapefile format. GIS data for mitigation sites shall conform to the Mitigation_SPD.xlsx data table, as specified in the Final Map and Drawing Standards for the South Pacific Division Regulatory Program dated August 6, 2012 (<http://www.spd.usace.army.mil/Portals/13/docs/regulatory/standards/map.pdf>), and shall include a text file of metadata, including datum, projection, and mapper contact information. Within 60 days following completion of compensatory mitigation construction activities, if any deviations have occurred, you shall submit as-built GIS data (polygons only) accompanied by a narrative description listing and explaining each deviation.
2. Prior to initiating construction in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a complete set of final detailed grading/construction plans showing all work and structures in waters of the U.S. All plans shall be in compliance with the Final Map and Drawing Standards for the South Pacific Division Regulatory Program dated August 6, 2012 (<http://www.spd.usace.army.mil/Portals/13/docs/regulatory/standards/map.pdf>). All plan sheets shall be signed, dated, and submitted on paper no larger than 11x 17 inches. No work in waters of the U.S. is authorized until the Permittee receives, in writing (by letter or e-mail), Corps Regulatory Division approval of the final detailed grading/construction plans. The Permittee shall ensure that the project is built in accordance with the Corps-approved plans.

3. Within 45 calendar days of completion of authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a post-project implementation memorandum including the following information:
 - A) Date(s) work within waters of the U.S. was initiated and completed;
 - B) Summary of compliance status with each special condition of this permit (including any noncompliance that previously occurred or is currently occurring and corrective actions taken or proposed to achieve compliance);
 - C) Color photographs (including map of photopoints) taken at the project site before and after construction for those aspects directly associated with permanent impacts to waters of the U.S. such that the extent of authorized fills can be verified;
 - D) One copy of "as built" drawings for the entire project. Electronic submittal (Adobe PDF format) is preferred. All sheets must be signed, dated, and to-scale. If submitting paper copies, sheets must be no larger than 11 x 17 inches; and E) Signed Certification of Compliance (attached as part of this permit package).
4. This Corps permit does not authorize you to take any threatened or endangered species, or adversely modify its designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g. ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply).
5. Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittee shall notify the Corps' Archeology Staff within 24 hours (Steve Dibble at 213-452-3849 or John Killeen at 213-452-3861). The Permittee shall immediately suspend all work in any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13.

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

Los Angeles District, Corps of Engineers

P.O. Box 532711

Los Angeles, California 90053-2325

WWW.SPL.USACE.ARMY.MIL

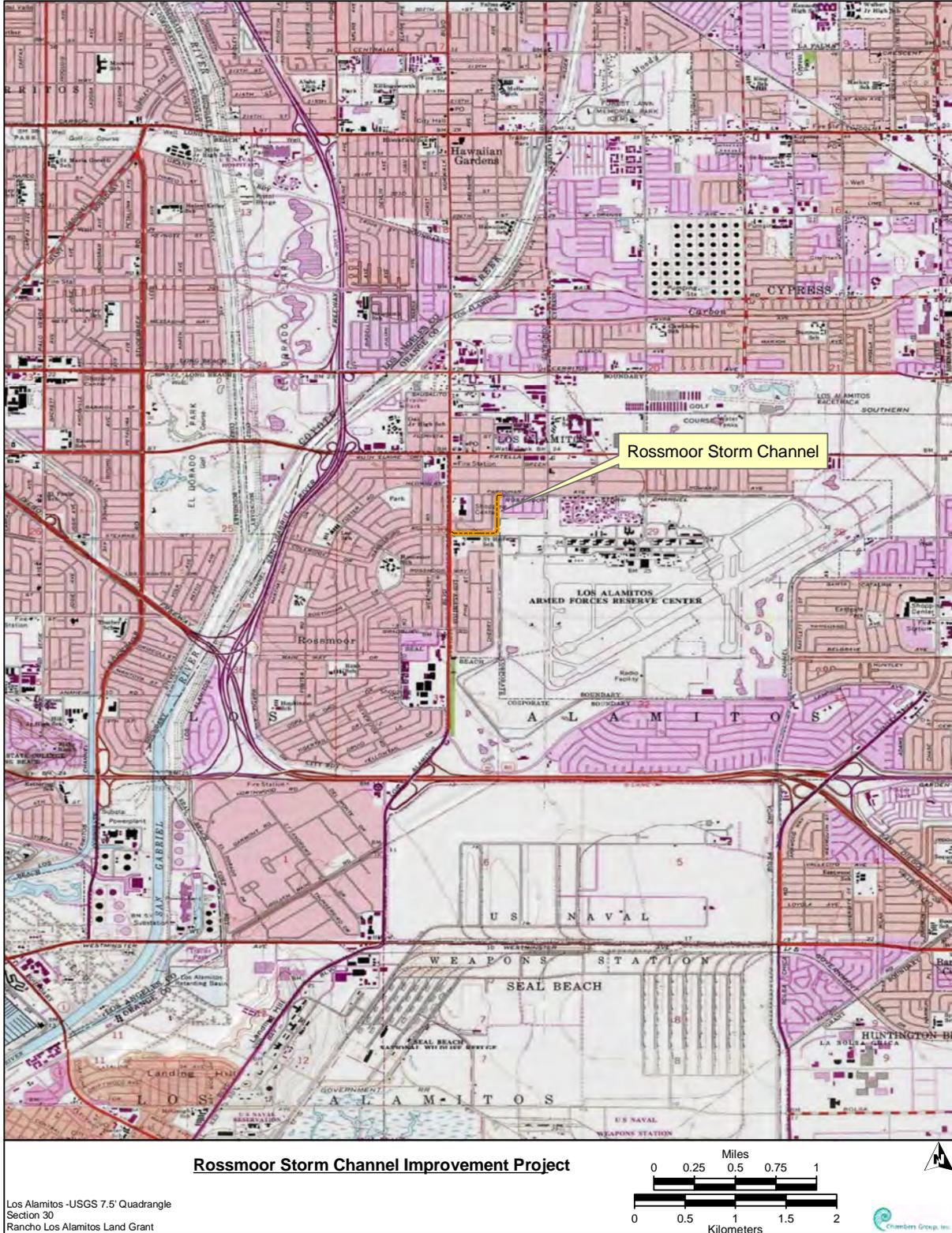


Figure 1. Project Location

Figure 1: Project Location

Figure 2: Construction Footprint

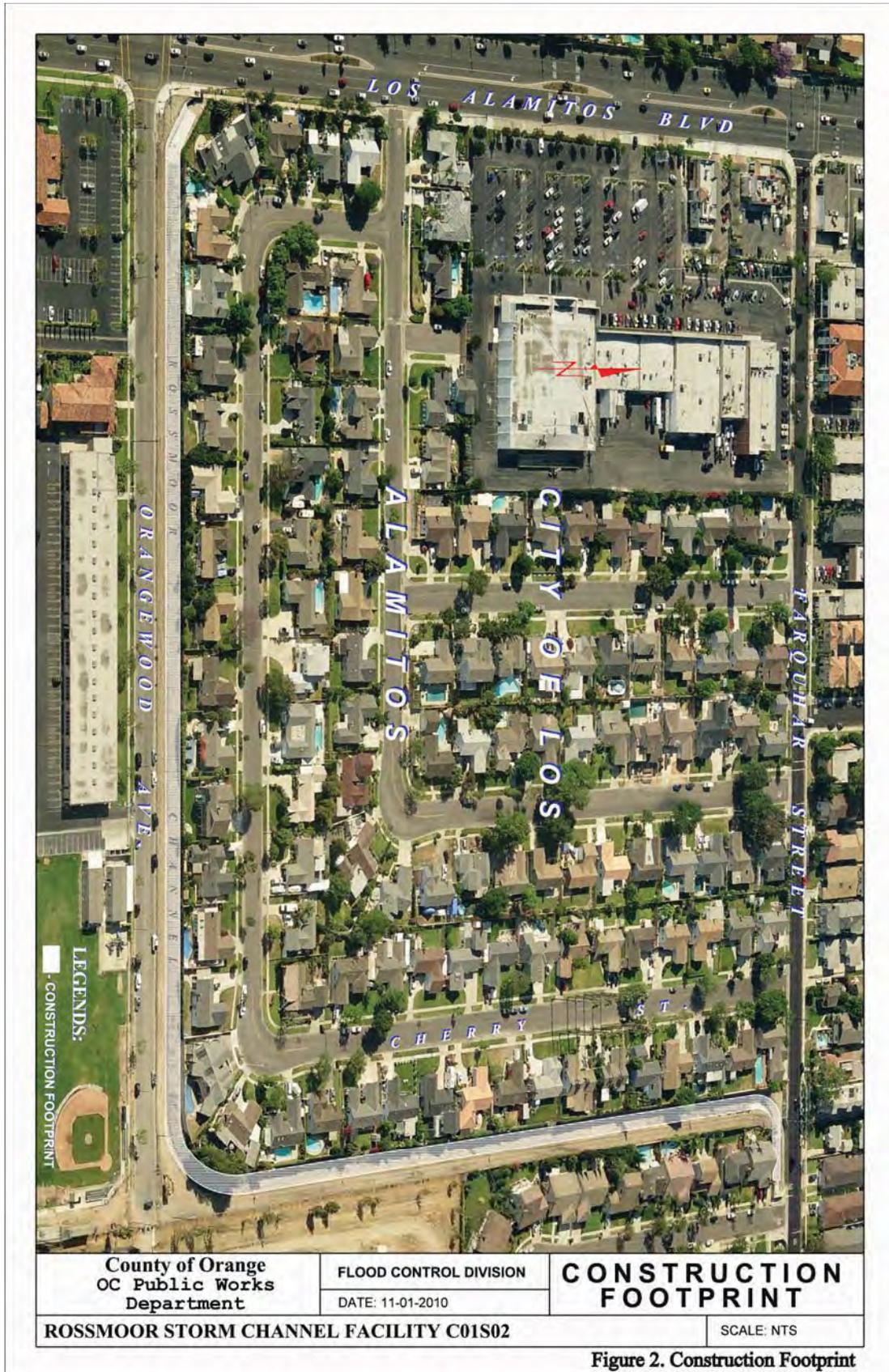


Figure 2. Construction Footprint

Figure 3: Typical Cross Section

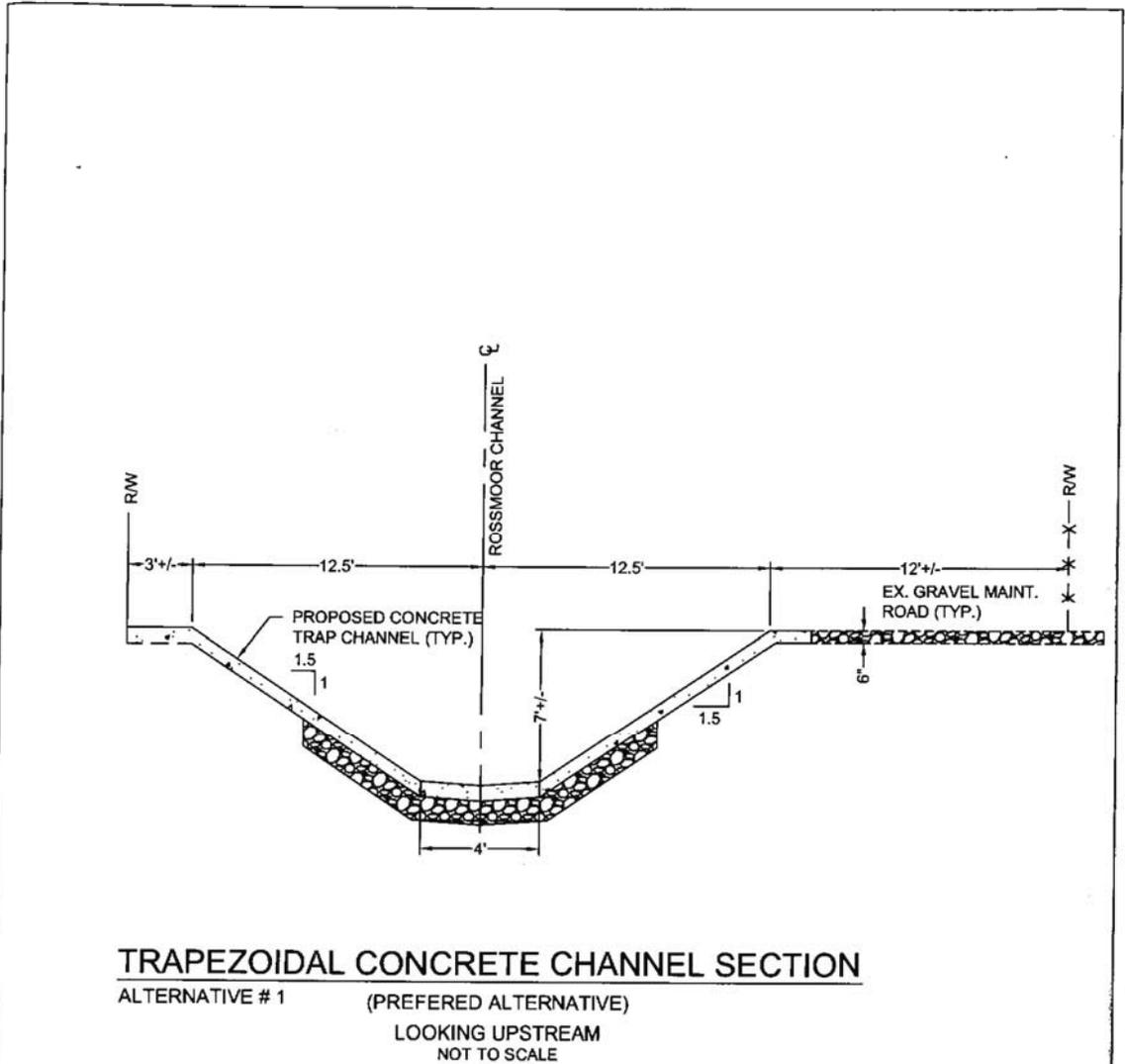


Figure 3. Typical Cross Section

	COUNTY OF ORANGE PUBLIC WORKS DEPARTMENT FLOOD CONTROL DESIGN UNIT	W.O. No.: EF03687	ROSSMOOR STORM CHANNEL (O.C.F.C.D. FACILITY No. C01S02) Los Alamitos Boulevard to Rochelle Street (Sta. 54+32 to Sta. 79+75)
	TYPICAL CROSS SECTION		
			C01S02 TYP_X-SECTION.dwg

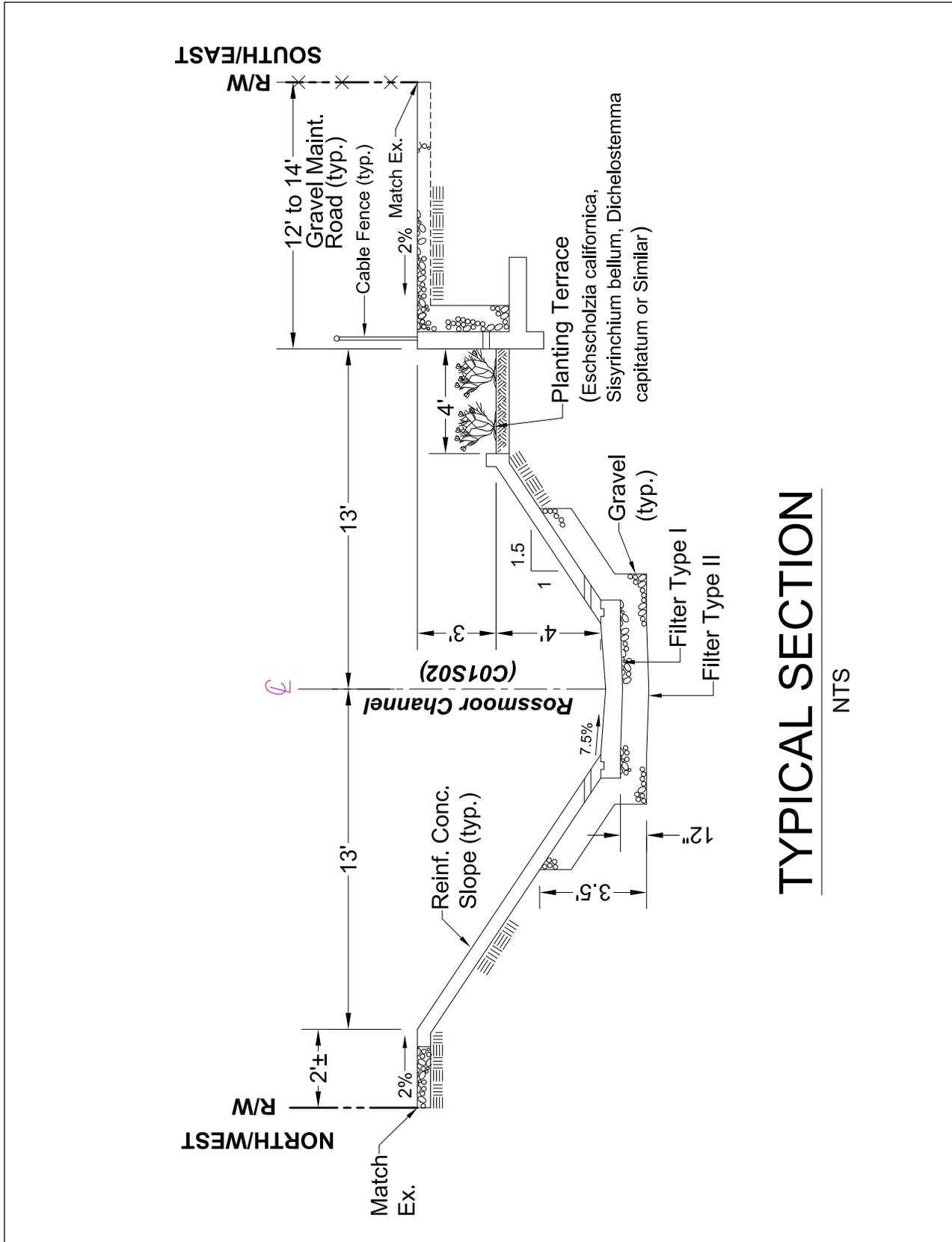


Figure 4: Typical Storm Channel Cross Section