

DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT, CORPS OF ENGINEERS
TUCSON PROJECT OFFICE
5205 EAST COMANCHE STREET
TUCSON, ARIZONA 85707

REPLY TO

September 21, 2011

Office of the Chief Regulatory Division

Ms. Nicole Bolton Bureau of Reclamation PO Box 61470 (LC-8460) Boulder City, Nevada 89006

File Number: SPL-2010-00031-MB

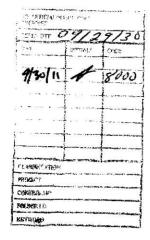
Dear Ms. Bolton:

This is in reply to your application dated September 1, 2011 concerning our permit authority under Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 over your proposal to discharge dredged and fill material to construct the Laguna Division Conservation Area wetland habitat enhancement project through the Lower Colorado River Multi-Species Conservation Program. The proposed project shall result in the establishment of a large-scale wetland/riparian habitat conservation area in currently dewatered floodplain of the Colorado River between Imperial and Laguna Dams, approximately 21 miles north of Yuma and 4 miles west of the Yuma Proving Grounds Main Gate, Sections 31 and 36, T6S, R21W and Sections 6, 7, 12, 13, and 14, T7S, R21W, Yuma County, Arizona and Sections 17, 20, 21, 28, 29, 31, and 32, T15S, R24E, Imperial County, California, as shown on the attached figures and as described in detail on the attached Scope of Work.

The Corps of Engineers has issued Regional General Permit No. 22 (RGP 22) for Aquatic and Wetland Enhancement Activities in accordance with 33 CFR Part 325.2(e)(2). RGP 22 applies to activities in the Colorado River, including backwaters and adjacent wetlands, within the states of Arizona and California from Davis Dam (River Mile 276) south to San Luis, Arizona (River Mile 0). The Corps of Engineers has determined that your proposed activity complies with the terms and conditions of RGP 22.

You must comply with the general and special conditions of RGP 22 described in the enclosure. Furthermore, you must also comply with the special conditions enclosed in this letter specific to this project.

This letter of verification is applicable through September 21, 2014. A regional general permit does not grant any property rights or exclusive privileges. Also, it does not authorize any injury to the property or rights of others or authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal, state, or local authorizations required by law.



If you have questions, please contact me at (520) 584-1684.

Sincerely,

Marjorie E. Blaine Senior Project Manager Arizona Branch, Regulatory Division

Enclosure(s)

PROJECT SPECIFIC SPECIAL CONDITIONS FILE NUMBER SPL-2010-00031-MB

- a. Should cultural resources or archaeological remains be encountered during construction/excavation, work shall immediately cease in the area of discovery. The permittee shall promptly notify the State Historic Preservation Office at (602) 542-7137 and the Corps at (520) 584-4486.
- b. The permittee shall not divert flows outside of the ordinary high water mark of the Colorado River unless specifically authorized within this letter of verification (description of Scope of Work).
- c. The permittee shall remove all excess fill and/or construction debris/equipment from the site immediately upon completion of construction.
- d. Prior to onset of construction/excavation, the permittee shall provide the contractor(s) with a copy of this permit. The contractor shall read and agree to comply with all conditions herein. A copy of this permit shall be posted on site at all times.

Revegetation and weed maintenance - After initial flooding to condition soils and test the wetland cells, the project will be planted with native marsh and riparian plants. The planting plan calls for dense plantings of native plants to form distinct habitat bands based on elevations above water surface elevation. Key habitat components will be planted with containerized plantings, with seeding and wetland plugs utilized for ground cover species. Planting zones will range from deep marsh (bulrush and cattail), shallow marsh (three square and salt grass), riparian forest (willows and cottonwoods) to mesquite and saltbush. Plantings will be irrigated by manipulating water surface elevations with the exception of mesquites planted on high spoil areas which will require a limited amount of temporary irrigation for establishment. Planting will begin in 2014 and will continue through 2016.

Maintenance of weed species will begin immediately following the initiation of earthwork in 2011 and continue for at least three years following planting. Weed maintenance will consist of both mechanical and herbicide treatments depending on the extent and species of weed in question.

Total excavation within the project area is approximately 1.4 million cubic yards.

Total excavation within jurisdictional wetlands is approximately 764,691 cubic yards over 175.21 acres.

Total discharge within the project area is approximately 1.4 million cubic yards. Total discharge within jurisdictional wetlands is 905,956 cubic yards over 113.3 acres. Total wetland created is approximately 880 acres, compared to 804 acres of delineated wetlands within the project area.

Block 21. Type and Amount of Material Being Discharged and Surface Area of Wetlands or Other Waters Filled

Table 1. Discharge Amount and Type Associated with the Water Delivery System: Pipeline Installation

| | | AMOUNT OF EXCAVATION IN JURISDICTIONAL AREAS | | AMOUNT OF DISCHARGE IN JURISDICTIONAL AREAS | |
|---|---|---|-----------------------|---|-------------------------|
| PIPE INSTALL IN JURISDICTIONAL AREAS | TYPE OF MATERIAL | CUT QUANTITY (CY)* | SURFACE AREA CUT (AC) | FILL QUANTITY (CY)" | SURFACE AREA FILLED (AC |
| CONSTRUCT INVERTED SIPHON AT PIPELINE STATION 36123 TO 37130 | | | | | HER DEATH STATE CHARLES |
| CONSTRUCT TRENCH FOR PIPELINE | NATIVE SOIL | 1,824 | 0.16 | 0 | 0 |
| PLACE 48-IN DR 32.5 IPS HIGH DENSITY POLYETHYLENE PIPE (HDPE) | HIGH DENSITY POLYETHYLENE PIPE (HDPE) | 0 | 0 | 6 | Ö |
| INITIAL BACKFILL OF PIPELINE WITH CONTROLLED LOW STRENGTH MATERIAL (CLSM) | CONTROLLED LOW STRENGTH MATERIAL (CLSM) | 0 | 0 | 440 | 0 |
| FINAL BACKFLL OF PPELINE WITH NATIVE MATERIAL | NATIVE SOIL | 0 | 0 | 1,378 | 0,16 |
| | TOTAL | 1,824 | 0.16 | 1,824 | 0.16 |

Table 2. Discharge Amount and Type Associated with Wetland Restoration: Grading and Water Control Plan

| GRADING & WATER CONTROL IN JURISDICTIONAL AREAS | TYPE OF MATERIAL | AMOUNT OF EXCAVATION IN JURISDICTIONAL AREAS | | AMOUNT OF DISCHARGE IN JURISDICTIONAL AREAS | |
|--|---|--|--------------------------|---|-------------------------|
| | | CUT QUANTITY (CY) | SURFACE AREA CUT (AC) | FILL QUANTITY (CY)** | SURFACE AREA FILLED (AC |
| REACH 1 | | | STATE THE REAL PROPERTY. | | Note: West 616 to be |
| CONSTRUCT TRENCH FOR NON-NATIVE VEGETATION BURIAL | NATIVE SOIL | 65,658 | 4,90 | 0 | 0 |
| PLACE CLEARED & GRUBBED NON-NATIVE VEGETATION IN TRENCH | CLEARED & GRUBBED NON-NATIVE VEGETATION | 0 | 0 | 43,919 | D |
| PLACE SOIL CAP OVER BURIED NON-NATIVE VEGETATION | NATIVE SOIL | 0 | 0 | 21,740 | 4.90 |
| CONSTRUCT WETLAND CHANNELS | NATIVE SOL | 75,398 | 22.80 | 40,329*** | 6.00 |
| CONSTRUCT DEEP POT MESQUITE AREAS | NATIVE SOIL | 3,642 | 2.70 | 0 | 0 |
| CONSTRUCT IRRIGATED MESQUITE AREAS | NATIVE SOIL | 0 | 0 | 0 | 0 |
| CONSTRUCT PERIMETER MAINTENANCE ROADS | NATIVE SOIL | 0 | 0 | 109,236 | 13.47 |
| CONSTRUCT WATER CONTROL STRUCTURES (x3 | STRUCTURAL CONCRETE | 0 | 0 | 531 | 0.15 |
| PLACE EROSION PROTECTION ROCK FOR WATER CONTROL STRUCTURES (x3 | RP-RAP | 0 | 0 | 105 | 0.03 |
| EACH 2 | | | | AND AND ARREST | Description of the Mark |
| CONSTRUCT TRENCH FOR NON-NATIVE VEGETATION BURIAL | NATIVE SOL | 210,479 | 15.71 | 0 | 0 |
| PLACE CLEARED & GRUBBED NON-NATIVE VEGETATION IN TRENCH | CLEARED & GRUBBED NON-NATIVE VEGETATION | Ó | 0 | 140,788 | 0 |
| PLACE SOIL CAP OVER BURIED NON-NATIVE VEGETATION | NATIVE SOIL | 0 | 0 | 69,690 | 15.71 |
| CONSTRUCT WETLAND CHANNELS | NATIVE SOIL | 318,905 | 92,00 | 2,171 | 3.10 |
| CONSTRUCT DEEP POT MESQUITE AREAS | NATIVE SOIL | 6,833 | 7.20 | 0 | 0 |
| CONSTRUCT RRIGATED MESQUITE AREAS | NATIVE SOIL | 0 | 0 | 0 | 0 |
| CONSTRUCT PERIMETER MAINTENANCE ROADS | NATIVE SOIL | O O | 0 | 517,564 | 69.88 |
| CONSTRUCT WATER CONTROL STRUCTURES (x1 | STRUCTURAL CONCRETE | 0 | 0 | 177 | 0.05 |
| PLACE EROSION PROTECTION ROCK FOR WATER CONTROL STRUCTURES (x1 |) RIP-RAP | 0 | 0 | 35 | 0.01 |
| IISTORIC CHANNEL REACH | | | DEGREE SECTION | TO SERVICE OF SERVICE | OF LABOURE 1945 |
| CONSTRUCT WETLAND CHANNELS | NATIVE SOIL | 83,775 | 29,90 | 0 | 0.00 |
| | TOTA | 764,691 | 175.21 | 905,866 | 113.30 |

^{*} Bank Run Quantity

^{**} in Place (Compacted) Quantity

^{***} Westand channel construction in Reach 2 incudes regrading/filling two existing deep, open water pockets to create additional marsh habitat for MSCP target threatened and endangered species (Yuma Clapper Rait and Black Rail)