DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

REPLY TO
ATTENTION OF

April 30, 2013

Office of the Commander
and District Engineer

Mr. Samuel Unger
Executive Officer
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, California 90013

Dear Mr. Unger:

Reference is made to the Los Angeles Regional Water Quality Control Board's Investigative Order R4-2013-0039 dated March 26, 2013. The Investigative Order required submittal of a technical report on annual sediment and vegetation removal activities conducted within a 1,825-foot long, concrete-lined reach of the Los Angeles River between Burbank Boulevard and the Sepulveda Dam outlet works.

Enclosed for your review is the technical report for Investigative Order R4-2013-0039.

If you have any questions, please contact Ms. Theresa Kaplan at (213) 452-3118 or Mr. Tim Fairbanks at (213) 452-3553.

"Building Strong and Taking Care of People"

Sincerely,

R. Mark Toy, P.E.
Colonel, US Army
Commander and District Engineer

Technical Report for Investigative Order R4-2013-0039

1. **The precise description of the location(s) in and along the Los Angeles River, including Encino Creek, the Encino -Los Angeles River confluence, Haskell Creek, and Haskell - Los Angeles River confluence, where sediment, debris, and/or vegetation removal occurred on December 10-11, 2012.**

   The project area is located in the Sepulveda Dam basin within the 1,825-foot long, concrete-lined reach of the Los Angeles River between Burbank Boulevard and the Sepulveda Dam outlet works. The project area also encompasses a 100-foot long, concrete-lined section at the mouth of Haskell Creek and a 250-foot long, concrete-lined section at the mouth of Encino Creek. The total work area is approximately 0.9 acre. **See Exhibit 1.**

2. **A detailed site map or maps showing the point(s) of entry to the Los Angeles River and the areas where sediment, debris, and/or vegetation removal occurred.**

   See Exhibit 1.

3. **The times that the December 10-11, 2012 removal commenced and ended.**

   Each day, sediment and vegetation removal operations commenced at 8 a.m. and ended at 3 p.m.

4. **The dates and times that other instances of annual sediment, debris, and/or vegetation removal from 2007 to the present.**

   Sediment and vegetation removal activities are undertaken annually between October and December prior to the storm season. Activities are typically completed within two working days. Hours of operation each day are typically from 8 a.m. to 3 p.m.

5. **The names and addresses of all contractors involved in the annual sediment, debris, and/or vegetation removal, and if no contractor was used, the names of USACOE personnel in charge of the overseeing the annual removal projects.**

   Generally, sediment and vegetation removal in the project area is performed by USACE personnel rather than contractors. Contractors were not utilized in 2012. Mr. Michael Farris, Chief – Operations and Maintenance Section, was in charge of overseeing the 2012 removal operation.

6. **A detailed description of the methods used to remove sediment, debris, and/ or vegetation in the Los Angeles River including a specific description of the equipment and/or machinery and how many were used.**

   A D6 bulldozer accessed the river from the east bank near the Encino Creek confluence, and gathered sediment and vegetation into piles. A 400 hp, rubber-wheeled loader scooped sediment and placed it into a 10 cubic yard dump truck. Once filled, the dump truck exited

the river using the access ramp located at the mouth of Haskell Creek and placed sediment within a 0.5-acred, triangular-shaped sediment placement area downstream of the dam.

7. **For each removal project since 2007, a detailed summary of the total amount of sediment or debris removed. For each removal project since 2007, a detailed summary of the total amount of vegetation removed. Include copies of the calculations, records, data, and photographs (if available) used in determining the estimate of the amount removed.**

   Since 2007 approximately 200 cubic yards of sediment per year have been removed prior to the storm season.

   Vegetation removed were emergent vegetation growing on top of the sandbars. The amount of vegetation present varies by area of exposed sandbars sufficiently deep to support vegetation, and the vegetation coverage on the sandbars. The surface area of sandbars and vegetation coverage observed in 2012 are similar to those observed in past years.

   Review of photographs taken in early 2012 indicates three large sandbars within the channel:
   - An approximately 0.8 acre sandbar with approximately 75% vegetation coverage.
   - An approximately 0.3 acre sandbar with approximately 25% vegetation coverage.
   - An approximately 0.3 acre sandbar with approximately 50% vegetation coverage.

   Based the above, approximately 0.8 acre of emergent vegetation on sandbars were removed in 2012. It is likely that annual vegetation removal since 2007 affected approximately 0.8 acres of emergent vegetation per year.

8. **Any written plans or project descriptions pertaining to sediment, debris, and/or vegetation removal or maintenance activities in the Los Angeles River.**

   No written plans or project descriptions were prepared for the annual sediment and vegetation removal or maintenance activities located in the project area. Because this activity is performed by USACE personnel in substantively a similar manner each year, no written plans are prepared. The activity qualifies for a NEPA categorical exclusion at 33 C.F.R. 230.9(b), which does not require any written documentation.

9. **An analysis of the impacts of sediment, debris, and/or vegetation removal on beneficial uses of the surface waters. Designated beneficial uses of the Los Angeles River in the Sepulveda Basin (Los Angeles River Reach 5) include: Municipal and Domestic Supply; Industrial Service Supply; Ground Water Recharge; Warm Freshwater Habitat; Wildlife Habitat; Wetland Habitat; Water Contact Recreation and Non-contact Water Recreation.**

   - ***Municipal (MUN) – Water used for military, municipal, individual water systems, and may include drinking water.*** Sepulveda Dam is managed for flood risk management, not water conservation. The project area does not support potable water wells or other potable water supply infrastructure. Therefore, there was no impact to municipal or domestic water supplies.

- ***Industrial Service Supply (IND) – Water supply for industrial uses that do not depend on water quality.*** The Tillman Plant supplies reclaimed water for non-potable uses throughout San Fernando Valley which may include industrial uses. The sediment removal work did not affect water reclamation or reclaimed water conveyance infrastructure. Therefore, there was no impact to industrial water supplies.

- ***Ground Water Recharge (GWR) – Natural or artificial Ground Water Recharge for future extraction, to balance natural hydrologic processes, and to maintain navigable channels.*** The project area is concrete-lined and impermeable. Removal of sediment and emergent vegetation from a concrete-lined channel would not impact groundwater recharge functions.

- ***Warm Freshwater Habitat (WARM) - Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.*** Emergent vegetation, primarily cattails and bulrush, can take root once accumulated sediment has reached sufficient depth. However, the utility of these temporary sandbars as habitat for fish and wildlife is limited. First, the sandbars are located on top of a concrete-lined channel. Therefore, it is difficult for emergent vegetation to reach maturity due to the limited depth for establishing roots. Furthermore, fish are typically absent from this reach since low flows are shallow. Avian species may periodically utilize the sandbars. Removal of sediment and emergent vegetation from a concrete-lined channel would entail temporary minor impacts to warm freshwater habitat.

- ***Wildlife Habitat (WILD) - Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.*** The 1,825-foot long, concrete-lined reach of the Los Angeles River between Burbank Boulevard and the Sepulveda Dam outlet works indirectly supports wildlife that may utilize the adjacent uplands. However, any support provided is limited. Waters flowing through this reach do not directly support vegetation in the uplands since the river is impermeable. Furthermore, the river is a source of water for wildlife but not a source of food. Water is readily available to wildlife along Haskell Creek, Encino Creek, and the reach of the Los Angeles River upstream of Burbank Boulevard. Moreover, wildlife in the adjacent uplands are highly adaptive species. Therefore, removal of sediment and vegetation would entail minor impacts to wildlife habitat.

- ***Wetland Habitat (WET) - Uses of water that support wetland ecosystems, including, but not limited to, preservation or enhancement of wetland habitats, vegetation, fish, shellfish, or wildlife, and other unique wetland functions which***

enhance water quality, such as providing flood and erosion control, stream bank stabilization, and filtration and purification of naturally occurring contaminants. Emergent wetland vegetation, primarily cattails and bulrush, can take root once accumulated sediment has reached sufficient depth. However, because the shallow sandbars and emergent wetland vegetation are located on top of a concrete channel, wetland functions and services are limited or absent. Fish are typically absent from this reach since low flows are shallow. The sandbars do not provide flood or erosion control or stream bank stabilization services. The sandbars and emergent vegetation do not reduce the velocity of flows to sufficiently provide natural filtration functions. Therefore, removal of sediment and vegetation would entail temporary minor impacts to wetland habitat.

- ***Water Contact Recreation (REC-1) - Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs.*** Recreation activities requiring immersion in water such as wading, swimming, or diving are not authorized by the Corps within waterways located in Sepulveda Basin including the 1,825-foot long, concrete-lined reach of the Los Angeles River between Burbank Boulevard and the Sepulveda Dam outlet works. Therefore, removal of sediment and vegetation would entail no impacts to Water Contact Recreation.

- ***Non-contact Water Recreation (REC-2) - Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.*** The area is managed by the Corps for operations and maintenance, not recreation. However, recreational uses do occur in the project area within the vicinity of waterways. In addition to unauthorized encampments and illicit activities occurring within the uplands, joggers, hikers, photographers, and birdwatchers utilize the area. Maintenance roads adjacent to waterways used for recreation remain intact. Users continue to access the area for recreation. Therefore, removal of sediment and vegetation would entail no impacts to Water Contact Recreation.

10. A description of what measures, if any, were taken by the USACOE to prevent or mitigate and/or monitor sediment releases downstream in the Los Angeles River from sediment, debris, and/or vegetation removal activities.

In general, the sediment is sandy and quickly settles out of the water column. Thus, turbidity is short term and limited to the immediate areas of soil disturbance. It is unlikely that turbidity would be evident downstream of the dam outlet works. Thus, water quality monitoring downstream of the dam was deemed unnecessary.

11. Copies of all permits issued for the annual removals from any federal, state or local agency and all documents developed to satisfy the requirements of the National Environmental Policy Act and/or California Environmental Quality Act.

No permits were required. Sediment and debris removal from an engineered, fully concrete lined, and currently serviceable structure in order to allow that structure to function as designed is a maintenance activity exempt from regulation under the Clean Water Act (CWA) Section 404(f)(l)(B), and therefore no CWA section 401 water quality certification was required. The activity qualifies for a NEPA categorical exclusion at 33 C.F.R. 230.9(b), which does not require any written documentation The California Environmental Quality Act does not apply to federal actions because there is no waiver of sovereign immunity.

12. A list of all agencies that the USACOE reports the annual removals to and the time the reports were made regardless of whether permits were obtained.

The USACE is not required to and does not report annual sediment and vegetation or maintenance activities located in the project area to any other agency..

13. A description of public outreach efforts concerning the sediment, debris, and/ or vegetation removal.

The action qualifies for NEPA categorical exclusion at 33 C.F.R. 230.9(b), which does not require public outreach.

14. Any other documentation or correspondence the USACOE feels is relevant.

Relevant documentation is attached to this response.

Exhibit 1: Project Area Map