CALIFORNIA DEPARTMENT OF FISH AND GAME

South Coast Region 4949 Viewridge Avenue San Diego, California 92123

Notification No.1600-2008-0290-R5 Page 1 of 24 August 9, 2010

AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION

THIS AGREEMENT, entered into between the State of California, Department of Fish and Game, hereinafter called the Department, and Mr. Rudy Lee, representative of the Los Angeles County Flood Control District (LACFCD), 900 S. Fremont Avenue, Annex Building 2nd Floor, Alhambra, California, 91803; Telephone: (626) 458-4145, hereinafter called the Permittee, is as follows:

WHEREAS, pursuant to Section 1602 of California Fish and Game Code, the Permittee, on the 11th day of August, 2008, notified the Department that they intend to divert or obstruct the natural flow of, or change the bed, channel, or bank of, or use material from: 162 debris basins (DB) located in multiple upstream canyon watersheds, tributaries to the Los Angeles River, San Gabriel River, Santa Monica bay, Dominguez Channel, and Santa Clara River watersheds, located in Los Angeles County. The Permittee proposes to conduct routine maintenance within jurisdictional debris basins regulated under Department authority impacting waters of the state, as a direct result of the Permittee's project-related activities. Areas to be impacted and associated vegetation and riparian habitats are indicated in Table 1.

Table 1: Location of the 162 Debris Basins and Structures Subject of this 1605 Streambed Alteration Agreement¹

| FACILITY NAME | ADDRESS or LOCATION | USGS | LATITUDE | LONGITUDE | UPSTREAM CANYON WATERCOURSE |
|--------------------------|---|---------------|------------|------------|--------------------------------|
| Aliso | 18100 San Fernando Mission Rd., Granada Hills | Oat Mountain. | 34 16'33" | 118 31'32" | Aliso Creek |
| Arbor Dell (MTD 207 U02) | 5400 Arbor Dell Pl., Eagle Rock | Pasadena | 34 08'50" | 118 11'30" | Unnamed |
| Auburn | 700 Auburn Avenue, Sierra Madre | Mount Wilson | 34 10'26" | 118 03'20" | Unnamed |
| Aves S (PD 2136) | 9300 Ave. S, Littlerock | Little Rock | 34 33'25" | 117 57'40" | Desert Wash |
| Aves T-8 (PD 2103) | 4800 Ave. T-8, Palmdale | Palmdale | 34 32'00" | 118 02'25" | Walnut Creek |
| Bailey | 700 Oakcrest Dr., Sierra Madre | Mount Wilson | 34 10' 19" | 118 03'29" | Bailey Canyon |
| Bakerton (MTD 1548) | 28628 Bakerton Ave., Santa Clarita | Mint Canyon | 34 26'09" | 118 27'47" | Unnamed |
| Beatty | 500 Sierra Madre Ave., Azusa | Azusa | 34 08'52" | 117 33'37" | Beatty Canyon |
| Bell Creek | 6950 Valley Circle Blvd., West Hills | Calabasas | 31 12'00" | 118 39'20" | Bell Creek |
| Big Briar (PD 638) | 5400 Haskell St., La Canada-Flintridge | Pasadena | 34 13'26" | 118 11'57" | Unnamed |
| Big Dalton | 100 Glendora Mt. Rd., Glendora | Glendora | 34 09'19" | 117 50'00" | Big Dalton Canyon |
| Blanchard | 6400 Day St., Tujunga | Sunland | 34 15'10" | 118 16'12" | Blanchard Canyon |
| Blue Gum | 10320 Haines Canyon Ave., Tujunga | Sunland | 34 15'20" | 118 16'30" | Blum Gum Canyon |
| Brace (MTD 266) | 3440 Brace Canyon Rd., Burbank | Burbank | 34 12'52" | 118 19'19" | Brace Canyon |

The acreage amount to be effected in each basin by maintenance activities is provided in Table 3.

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Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 2 of 24

| | Conditions for Notif | ication ito i | 000-2000-0 | /230-INJ I | age 2 or 24 |
|-----------------------------------|--|---------------|------------|------------|----------------------------|
| Bracemar (MTD 266) | 3361 North Lamer St., Burbank | Burbank | 34 12'50" | 118 19'26" | Unnamed |
| Bradbury | 72 Bliss Cyn. Rd., Bradbury | Azusa | 34 09'21" | 117 58'02" | Bradbury Canyon |
| Bramhall | 18909 Branhall Ln., Rowland Heights | La Habra | 33 58'00" | 117 52'30" | Vernon Channel |
| Brand | 1700 Brand Park Dr., Glendale | Burbank | 34 11'03" | 118 16'31" | Brand Canyon |
| Buena Vista | 1162 Norumbega Dr., Monrovia | Azusa | 34 09'45" | 117 58'40" | Unnamed |
| Caitlyn Circle (MTD 1589) | 1369 Caitlyn Cir., Westlake Village | Point Dume | 34 07'21" | 118 51'09" | Unnamed |
| Calle Robleda (PD1505) | 4900 Calle Robleda, Agoura Hills | Calabasas | 34 08'15" | 118 44'20" | Liberty Canyon |
| Camp Plenty (PD 354) | 27950 Camp Plenty Rd., Canyon Country | Mint Canyon | 34 25'50" | 118 28'30" | Unnamed |
| Cardiff (PD 2097) | 22350 Cardiff Dr., Saugus | Newhall | 34 24'15" | 118 37'30" | Unnamed |
| Carriage House | 1600 Winding Way, Pasadena | Mount Wilson | 34 10'33" | 118 04'07" | Unnamed |
| Carter | 600 N. Baldwin Ave., Sierra Madre | Mount Wilson | 34 10'26" | 118 02'58" | Unnamed |
| Cassara | 11500 Christy Ave., Sylmar | Sunland | 34 16'44" | 118 21'23" | Cassara Canyon |
| Chamberlain | 1400 Chamberlain Rd., Pasadena | Pasadena | 34 10'07" | 118 10'51" | Unnamed |
| Chandler | 9900 Roscoe Blvd., Sun Valley | Burbank | 34 13'24" | 118 20'41" | Chandler Canyon |
| Childs | 1790 Allen Ave., Glendale | Burbank | 34 11'20" | 118 16'43" | Childs Canyon |
| Cloud Creek (PD 891) | 2978 Hawkridge Dr., La Crescenta | Pasadena | 34 14'49" | 118 14'34" | Unnamed |
| Cloudcroft | 3400 Cloudcroft Dr., Malibu | Topanga | 34 02'57" | 118 34'12" | Parker Canyon |
| Contento (MTD 1221) | 1042 Calle Contento, Glendale | Pasadena | 34 10'15" | 118 13'15" | Sycamore Canyon Channel |
| Cooks | 5025 Boston Ave., Glendale | Burbank | 34 14'49" | 118 15'42" | Cooks Canyon |
| Cooks (M-1A) | 5026 Boston Ave., Glendale | Burbank | 34 14'56" | 118 15'38" | Cooks Canyon |
| Copper Hill Line "B" (PD 1386) | Cooper Hill Dr. & Buckhorn Ln., Saugus | Mint Canyon | 34 27'40" | 118 29'50" | Unnamed |
| Cordoba (PD 2284) | 30530 Gibraltar Pl., Castaic | Val Verde | 34 28'40" | 118 38'40" | Unnamed |
| Crescent Glen | 200 N. Crescent Glen Dr., Glendora | Glendora | 34 08'30" | 117 49'15" | Oak Park Drain System, |
| Crestview | 12 Crestview Ct., Duarte | Azusa | 34 09'12" | 117 56'53" | Unnamed |
| Crystal Springs (PD 2223) | 27130 Crystal Springs Rd., Canyon Country | Mint Canyon | 34 24'25" | 118 24'30" | Unnamed |
| Deer | 1290 Beaudry Blvd., Glendale | Pasadena | 34 11'35" | 118 14'27" | Deer Creek |
| Denivelle | 7710 Denivelle Road Tujunga | Sunland | 34 16'20" | 118 17'59" | Unnamed |
| Devonwood | 505 Devonwood Rd., Altadena | Pasadena | 34 12'25" | 118 07'49" | Unnamed |
| Dry Canyon – South Fork | 22820 Mulholland Hwy., Calabasas | Canoga Park | 34 08'10" | 118 37'25" | Unnamed |

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 3 of 24

| Streambed Alteration | Conditions for Notif | ication No.: 1 | 600-2008- 0 | 1290-KD P | age 3 of 24 |
|--------------------------|--|----------------|--------------------|------------|------------------------------|
| Dunsmore | 5145 Dunsmore Ave., Glendale | Burbank | 34 14'51" | 118 15'07" | Dunsmore Canyon |
| Eagle | 2700 harmony Pl., La Crescenta | Pasadena | 34 14'07" | 118 14'09" | Eagle & Goss Canyon |
| Elmwood | 1260 East Elmwood Ave., Burbank | Burbank | 34 11'27" | 118 17'07" | Elmwood Canyon |
| Emerald - East | 4854 Emerald Ave., La Verne | Glendora | 34 07'38" | 117 45'53" | Unnamed |
| Englewild | 4700 Englewild Dr., Glendora | Glendora | 34 09'32" | 117 50'52" | Englewild Canyon |
| Fair Oaks | 300 Loma Alta Dr., Altadena | Pasadena | 34 12'12" | 118 08'23" | Unnamed |
| Fern | 3500 Chaney Trail, Altadena | Pasadena | 34 12'13" | 118 08'51" | Chiquita Canyon |
| Fieldbrook | 18566 Fieldbrook St., Rowland Heights | La Habra | 33 57'51" | 117 53'39" | Unnamed |
| Ft. Tejon (PD 2101) | 4800 Essex dr., Palmdale | Palmdale | 34 33'15" | 118 02'30" | Desert Wash |
| Fullerton (PD 2202-U2) | 2300 Fullerton Rd., Rowland Heights | La Habra | 33 58'00" | 117 53'30" | San Jose Creek |
| Golf Club | 3065 E. Chevy Chase Dr., Glendale | Pasadena | 34 10'10" | 118 12'11" | Sycamore Canyon |
| Gooseberry | 1600 Crest Dr., Altadena | Chico Flat | 34 20'30" | 118 07'15" | Gooseberry Creek |
| Gordon | 1900 E. Foothill Blvd., Glendora | Glendora | 34 08'29" | 117 49'42" | Gordon Canyon |
| Goss Inlet (PD 503) | 2550 Rockdell St., La Crescenta | Pasadena | 34 14'15" | 118 13'15" | Goss Canyon |
| Gould | 800 Green Ln., La Canada-Flintridge | Pasadena | 34 12'54" | 118 11'33" | Gould Canyon |
| Gould Upper (PD 655) | Cul De Sac of Lone Grove Wy., La Canada-Flintridge | Pasadena | 34 13'24" | 118 11'33" | Gould Canyon |
| Green Hill #1 (PD 1974) | 3220 Green Hill Dr., Castaic | Warm Springs | 34 30'00" | 118 37'45" | Unnamed |
| Green Hill #2 (PD 1974) | 28410 Avion Ct., Castaic | Warm Springs | 34 30'10" | 118 37'50" | Unnamed |
| Greensbrier (PD 2495) | 24800 Greenbrier Drive, Stevenson Ranch | Oat Mountain | 34 22'13" | 118 35'35" | Dewitt Canyon |
| Halls | 2100 Cross st., La Canada-Flintridge | Pasadena | 34 13'20" | 118 13'15" | Hall Beckley Canyon |
| Harbor Blvd. (PD2202-U2) | 3500 Harbor Blvd., Rowland Heights | La Habra | 35 58"00" | 117 54'00" | San Jose Creek |
| Harrow | 4800 Easely Canyon Rd., Glendora | Glendora | 34 09'23" | 117 51'40" | Harrow Canyon |
| Harter Lane (PD 222) | 5400 Harter Ln., La Canada-Flintridge | Pasadena | 34 13'30" | 118 11'45" | Harter Canyon |
| Haven Way (MTD 1008) | 3630 Haven Wy., Burbank | Burbank | 34 12'38" | 118 19'09" | McClure Canyon |
| Hay | 1235 El Vago St., La Canada-Flintridge | Pasadena | 34 13'26" | 118 12'16" | Hay Canyon |
| Hazel Nut (PD 2488) | 1900 Hazel Nut Ct., Agoura | Point Dume | 34 6'25" | 118 47'17" | Unnamed |
| High Sierra | 29090 High Sierra Trail, Saugus | Newhall | 34 28'33" | 118 31'15" | Unnamed |
| Hillcrest | 1800 Hillcrest Ave., Glendale | Burbank | 34 10'43" | 118 15'54" | Hillcrest & Sherer Canyon |
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Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 4 of 24

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|--------------------------|--|--------------|------------|------------|-------------------------------|
| Hillman | 2332 Hillman Lane, Rowland heights | La Habra | 33 58'30" | 117 53'00" | San Jose Creek |
| Hipshot (PD 1683 U01) | 31625 Hipshot Dr., Castaic | Newhall | 34 29'10" | 118 37'30" | Unnamed |
| Hog | 15455 Glenoaks Blvd., Sylmar | San Fernando | 34 19'50" | 118 27'50" | Hog Canyon |
| Hook-East | 9200 Sierra Madre Ave., Glendor <u>a</u> | Azusa | 34 09'12" | 117 52'35" | Unnamed |
| Hook-West | 9201 Sierra Madre Ave., Glendor <u>a</u> | Azusa | 34 09'13" | 117 52'44" | Unnamed |
| Inverness | 1377 Edgehill Place, Pasadena | Pasadena | 34 10'40" | 118 10'51" | Unnamed |
| Irving (MTD 329) | 940 Irving Dr., Burbank | Burbank | 34 12'26" | 118 19'15" | Unnamed |
| Kinneloa-East | 2300 Kinneloa Canyon Road | Mt Wilson | 34 10'59" | 118 04'58" | Unnamed |
| Kinneloa-West | 2300 Brambling Lane, Unincorporated | Mt. Wilson | 34 11'04" | 118 05'05" | Unnamed |
| Knoll (PD 2279) | 28450 Knoll Ct., Castaic | Val Verde | 34 28'00" | 118 38'00" | Unnamed |
| La Salle (PD 1358) | 23700 La Salle Canyon Dr., Santa Clarita | Oat Mountain | 34 21'40" | 118 33'00" | Unnamed |
| La Tuna | 9050 La Tuna Canyon Rd., Sun Valley | Burbank | 34 14'12" | 118 19'37" | La Tuna Canyon |
| Lannan | 2701 Santa Anita Ave., Sierra Madre | Mt Wilson | 34 10'21" | 118 01'56" | Unnamed |
| Las Flores | 3200 Rubio Canyon Rd., Altadena | Pasadena | 34 12'05" | 118 07'32" | Las Flores Canyon |
| Las Lomas | 50 Las Lomas Road, Duarte | Azusa | 34 09'14" | 117 56'40" | Unnamed |
| Limekiln | 10500 Tunney Ave, Los Angeles | Oat Mt. | 34° 15'38" | 118°33'25 | Limekiln Canyon |
| Lincoln | 600 Ioma Alta Drive, Altadena | Pasadena | 34 12'10" | 118 09'22" | Unnamed/West Ravine Canyon |
| Linda Vista | 3200 Linda Vista Rd., Glendale | Pasadena | 34 10'14" | 118 11'54" | Unnamed |
| Line A (PD 2176) | | Newhall | 34 23'24 | 118 31'24" | Unnamed |
| Little Dalton | 110 Glendroa Mountain Rd., Glendora | Glendora | 34 09'25" | 117 50'14" | Little Dalton Canyon |
| Lopez | 12000 Paxton St., Lake View Terrace | San Fernando | 34 17'30" | 118 24'15" | Lopez Canyon |
| Maddock | 400 Vineyard Avenue, Duarte | Azusa | 34 09'16" | 117 57'03" | Maddock Canyon |
| May #1 | 13500 Fritz Lane, Sylmar | San Fernando | 34 19'52" | 118 25'42" | May Canyon |
| May #2 | 13500 Fritz Ln., Sylmar | San Fernando | 34 19'48" | 118 25'38" | Unnamed |
| Montana (MTD 510) | 530 South Via Montana, Burbank | Burbank | 34 12'00" | 118 17'25" | Story Canyon |
| Monument | 23746 Monument Cyn. Dr., Diamond Bar | San Dimas | 34 00'05" | 117 48'10" | Unnamed |
| Moon Dust (PD 2544) | 29250 Moon Dust Ct., Saugus | Newhall | 34 28'38" | 118 31'07" | Unnamed |
| Morgan | 2100 Valiant St., Glendora | Glendora | 34 08'28" | 117 49'10" | Morgan Canyon |

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 5 of 24

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|------------------------------|--|---------------|-----------|------------|------------------------------------|
| Mountbatten (MTD 787 U02) | 1150 Mountbatten Dr., Glendale | Pasadena | 34 10'39" | 118 14'25" | Unnamed |
| Mull | 1800 North Gordon Rd., Glendora | Glendora | 34 08'27" | 117 49'36" | Mull Canyon |
| Mullally (PD 274) | 2000 Manistee Dr., La Canada-Flintridge | Pasadena | 34 14'28" | 118 13'14" | Mullally Canyon |
| Mustang (PD 2049) | 32350 Mustang Dr., Castaic | Val Verde | 34 30'00" | 118 38'00" | Unnamed |
| Nichols | 1920 Nichols Canyon Rd., Los Angeles | Hollywood | 34 06'23" | 118 21'31" | Nichols Canyon |
| Oak (MTD 864) | 5324 Quail Canyon Rd., Glendale | Pasadena | 34 14'40" | 118 14'45" | Unnamed |
| Oak Park | 2357 Oak park Rd., Glendora | Glendora | 34 08'30" | 117 49'15" | Oak Park Drain System |
| Oakdale (PD 2389) | 26500 Oakdale Canyon Ln., Canyon Country | Mint Canyon | 34 23'52" | 118 27'17" | Unnamed |
| Oakglade | 900 Ridgeside Drive, Monrovia | Azusa | 34 10'25" | 117 59'39" | Unnamed |
| Oakmont (MTD 806) | 2940 Oakmont View Dr., Glendale | Pasadena | 34 12'14" | 118 14'23' | Unnamed |
| Oliver | 11300 Dominica Ave., Lake View Terrace | Sunland | 34 16'34" | 118 20'52" | Oliver Canyon |
| Pickens | 4628 Briggs St., La Crescenta | Pasadena | 34 13'16" | 118 13'43" | Pickens Canyon |
| Pinelawn (PD 1053) | 2850 Pinelawn Dr., La Crescenta | Pasadena | 34 13'16" | 118 13'43" | Unnamed |
| Rowley | 10720 Las Lunitas Ave., Tujunga | Sunland | 34 15'50" | 118 17'26" | Rowley Canyon |
| Rowley Upper | 10890 Amidon Pl., Tujunga | Sunland | 34 16'05" | 118 17'08" | Rowley Canyon |
| Royal Terminus (PD 1920) | 28410 Royal Rd., Castaic | Newhall | 34 29'30" | 118 37'45" | Unnamed |
| Rubio | 3200 Rubio Canyon Rd., Altadena | Mt. Wilson | 34 11'56" | 118 07'19" | Rubio Canyon |
| Ruby Lower | 300 Scenic Drive, Monrovia | Azusa | 34 09'51" | 117 39'54" | Ruby Canyon |
| Saddleback #1 (PD 2247) | 15230 Saddleback rd., Santa Clarita | Mint Canyon | 34 23'30" | 118 24'00" | Unnamed |
| Saddleback #2 (PD 2247) | 15200 Saddleback rd., Santa Clarita | Mint Canyon | 34 24'00" | 118 24'00" | Unnamed |
| Saddleback #3 (PD 2247) | 15200 Saddleback Rd., Santa Clarita | Mint Canyon | 34 23'30" | 118 24'00" | Unnamed |
| Santa Anita | 200 Oak Place, Arcadia | Mount Wilson | 34 10'14" | 118 01'16" | Santa Anita Canyon |
| Sawpit | 700 North Canyon Road, Monrovia | Azusa | 34 10'05" | 117 59'05" | Sawpit/Monrovia/ Spanish Canyon |
| Schoolhouse | 14500 Olive View Dr., Sylmar | San Fernando | 34 19'32" | 118 27'29" | Schoolhouse Canyon |
| Schwartz | 9825 Foothill Blvd., Sylmar | Sunland | 34 16'32" | 118 20'32" | Schwartz Canyon |
| Shadow (PD 2099) | 29000 Shadow Valley Ln., Saugus | Mint Canyon | 34 28'12" | 118 29'24" | Unnamed |
| Shields | 5300 La Cresenta Ave., La Cresenta | Pasadena | 34 14'23" | 118 14'22" | Shields Canyon |
| Shields Upper (PD 769) | 5670 Pine Cone Rd., La Crescenta | Pasadena | 34 14'52" | 118 14'15" | Shields Canyon |
| Sierra Madre Dam | 900 Brookside Lane, | Mount Wilson | 34 10'34" | 118 02'31" | Little Santa Anita |

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 6 of 24

| Streambed Alteration | | ication No.: 1 | <u>000-2008-0</u> | 290-K3 F | <u>age 6 or 24</u> |
|-------------------------------|---|----------------|-------------------|------------|---------------------------|
| | Sierra Madre | | | | Canyon |
| Sierra Madre Villa | 1150 Sierra Madre Villa Ave., Pasadena | Mt. Wilson | 34 10'16" | 118 04'36" | Pasadena Glen/Hastings |
| Skyridge (MTD 1317) | 5190 Sky Ridge Dr., | Burbank | 34 14'50" | 118 15'40" | Canyon Unnamed |
| Sloan (PD 1726) | Glendale 5850 Sloan Pl., Calabasas | Calabasas | 34 10'10" | 118 41'45" | Gates Canyon |
| Snover | 5250 Escalante Dr., La Canada-Flintridge | Pasadena | 34 13'48" | 118 13'22" | Snover Canyon |
| Sombrero | Cul De Sac of Sombrero Cyn. Rd., Sylmar | San Fernando | 34 19'52" | 118 28'07" | Sombrero Canyon |
| Spinks | 17 Woodlyn Land, Bradbury | Azusa | 34 09'06" | 117 37'42" | Spinks Canyon |
| Starfall (PD 1081) | 2700 Starfall Dr., La Crescenta | Pasadena | 34 14'47" | 118 14'11" | Eagle Canyon |
| Stetson | 13877 Glenoaks Blvd., Sylmar | San Fernando | 34 19'41" | 118 28'27" | Unnamed |
| Stevenson Ranch (PD 2528) | 25305 Pico Canyon Rd., Stevenson Ranch | Newhall | 34 22'53" | 118 34'56" | Pico Canyon |
| Stough | 1150 Walnut Ave., Burbank | Burbank | 34 12'00" | 118 18'09" | Stough Canyon |
| Stratford (PD 2098) | 25450 Stratford Dr., Saugus | Newhall | 34 24'00" | 118 37'40" | Oakdale Canyon |
| Sturtevant | 500 Lotus Dr., Sierra Madre | Mount Wilson | 34 10'18" | 118 02'22" | Unnamed |
| Sullivan | 2200 Queensferry Rd., Los Angeles | Topanga | 34 04'24" | 118 30'26" | Sullivan Canyon |
| Sunnyside | 4100 Park Vista Dr., Pasadena | Mount Wilson | 34 10'26" | 118 03'52" | Unnamed |
| Sunset Canyon- Deer Canyon | 1270 LACFCD Club Dr., Burbank | Burbank | 34 12'05" | 118 17'10" | Deer Canyon |
| Sunset Lower | 455 Country Club Dr., Burbank | Burbank | 34 11'09" | 118 17'04" | Sunset Canyon |
| Sunset Upper | 1500 Country Club Dr., Burbank | Burbank | 34 12'18" | 118 17'03" | Sunset Canyon |
| Thousand Oaks (PD 1726) | 25800 Thousand Oaks Blvd., Calabasas | | 34 10'00" | | Unnamed |
| Turnbull | 13600 Turnbull Canyon Road, Whittier | Whittier | 33 59'15" | 118 01'35" | Turnbull Canyon |
| Verdugo | 3500 La Crescenta Ave., Glendale | Pasadena | 34 12'06" | 118 14'09" | Verdugo Wash |
| Victoria (PD 2157) | 28632 Victoria Rd., Castaic | Whittier Peak | 34 30'20" | 118 38'10" | Unnamed |
| Ward | 3145 Markridge Rd., Glendale | Pasadena | 34 14'39" | 118 14'52" | Ward Canyon |
| Wedgewood (PD 2467) | Cul De Sac of W. Wedgewood Ct., Castaic | Newhall | 34 28'00" | 118 37'10" | Villa Canyon |
| Wellington (PD 2202 UIII) | 1792 Harbor Blvd., La Habra Heights | La Habra | 33 57'26" | 117 55'13" | Unnamed |
| West Ravine | 3600 Chaney Trail, Altadena | Pasadena | 34 12'18" | 118 08'51" | Unnamed |
| Westridge | 1000 Westridge Avenue, Glendora | Glendora | 34 09'01" | 117 52'15" | Unnamed |
| Whitney (PD 2444) | 30530 Whitney Dr., Castaic | Val Verde | 34 28'30" | 118 38'30" | Villa Canyon |
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Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 7 of 24

| Wilbur | 19000 Nordhoff Ave., | Canoga Park | 34 13'45" | 118 32'45" | Aliso & Wilbur |
|----------------------|-----------------------|--------------|-----------|------------|-----------------|
| | Northridge | | | | Canyon |
| Wildwood (PROJ 1222) | 23145 Davey Ave., | Oat Mountain | 34 22'06" | 118 31'56" | Wildwood Canyon |
| | Newhall | | | | |
| William S. Hart Park | 22900 Market St., | Oat Mountain | 34 22'27" | 118 31'42" | Unnamed |
| (RDD 341) | Newhall | | | | |
| Wilson | 14301 Saranac Dr., | San Fernando | 34 19'46" | 118 26'41" | Wilson Canyon |
| | Sylmar | | | | |
| Winery | 1409 El Vago St., | Pasadena | 34 13'30" | 118 12'33" | Winery Canyon |
| | La Canada-Flintridge | | | | |
| Yucca (PD 2157) | 30570 Yucca Pl., | Newhall | 34 28'12" | 118 37'12" | Unnamed |
| | Castaic | | | | |
| Zachau | 10905 Sevenhills Dr., | Sunland | 3416'02" | 118 17'25" | Zachau Canyon |
| | Tujunga | | | | |

WHEREAS, the Department, represented by Jamie Jackson, and based on information received by the Permittee, has determined that such operations may substantially adversely affect those existing fish and wildlife resources within the project site(s), and the vicinity of the project site(s), and the numerous watershed(s) identified in Table 1, specifically identified as follows: butterflies: Gabb's checkerspot (Melitaea g. gabbii), Santa Monica Mountains hairstreak (Satyrium auretorum fumosum); amphibians: coast range newt (Taricha t. torosa), coastal western whiptail (Cnemidophorus tigris multiscutatus), Sierra Madre yellow-legged frog (Rana muscosa), arroyo toad (Bufo californicus), California red-legged frog (Rana aurora draytonii), western spadefoot (Spea [Scaphiopus] hammondii), western toad (Bufo boreas), pacific treefrog (Pseudacris regilla), California treefrog (Pseudacris cadaverina); fish: Santa Ana sucker (Catostomus santaanae), unarmored threespine stickleback (Gasterosteus aculeatus williamsoni), arroyo chub (Gila orcuttii), speckled dace (Rhinichthys osculus); reptiles: San Diego coast horned lizard (Phrynosoma coronatum blainvillei), coast patched-nose snake (Salvadora hexalepis virgultea), southwestern pond turtle (*Emys marmorata pallida*), two-striped garter snake (*Thamnophis* hammondii), western fence lizard (Sceloporus occidentalis), side-blotched lizard (Uta stansburiana), gopher snake (Pituophis catenifer), and western rattlesnake (Crotalus viridis helleri); birds: coastal California gnatcatcher (Polioptila californica californica), least Bell's vireo (Vireo bellii pusillus), Cooper's hawk (Accipiter cooperii), southwestern willow flycatcher (Empidonax traillii), least Bell's vireo (Vireo bellii pusillus), Anna's hummingbird (Calypte anna), black phoebe (Sayornis nigricans), California quail (Callipepla californica), northern mockingbird (Mimus polyglottos), American kestrel (Lanius ludovicianus), and red-tailed hawk (Buteo jamaicensis), common raven (corvus corax); mammals: pallid bat (Antrozous pallidus), western mastiff bat (Eumops perotis californicus), San Diego desert woodrat (Neotoma lepida intermedia), desert cottontail (Sylvilagus auduboni), coyote (Canis latrans), bobcat (Lynx rufus), and mule deer (Odocoileus hemionus); native plants: Plummer's mariposa lily (Calochortus plummerae), Davidson's bush mallow (Malacothamnus davidsonii), Humboldt lily (Lilium humboldtii ssp. ocellatum), arroyo willow (Salix lasiolepis), California black walnut (Juglans californica var. californica), California bay laurel (Umbellularia californica), coastal sage scrub, chaparral, California grassland habitats, valley oak, coast live oak and southern coast live oak riparian woodlands, western sycamore woodlands, and southern willow scrub and mulefat habitat and communities; and all other aquatic and wildlife resources in the area, including the riparian vegetation which provides habitat for such species in the area.

These resources are further described in the following documents, with all attachments and exhibits: "Draft Initial Study/Mitigated Negative Declaration Section 1605 Long-Term Streambed Alteration Agreement for the Debris Basin Maintenance Program" prepared by BonTerra prepared for LACFCD of Los Angeles Department of Public Works dated June 2009 and "Appendix A LACFCD of Los Angeles Department of Public Works Proposed Debris Basin Rankings and vegetation replacement Ratios for Section 1605 Permit" prepared by BonTerra prepared for Los Angeles LACFCD Department of Public Works dated July 13, 2009.

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 8 of 24 Specific work areas and mitigation measures are described on/in the plans and documents submitted by the Permittee and shall be implemented as proposed, unless directed differently by this Agreement. The LACFCD contact person is Jemellee Cruz at (626) 458 4170.

PROJECT LOCATION

The debris basins where proposed project-related activities shall occur are located within numerous watersheds throughout Los Angeles LACFCD (See Table 1).

PROJECT DESCRIPTION

The Debris Basin Maintenance Program involves a set of continuing activities and protocols related to sediment removal and other debris basin maintenance. The project does not involve a new activity or construction project, but rather reflects longstanding and ongoing maintenance activities required to protect downstream residences, businesses, and infrastructure from potential damage caused by floodwaters and debris.

DEBRIS BASIN MAINTENANCE PROGRAM

The operation of the LACFCD of Los Angeles Debris Basin Maintenance Program requires regular vegetation mowing and/or periodic removal of vegetation and sediment from debris basins throughout the LACFCD of Los Angeles. LACFCD defines three sub-areas in each debris basin to describe the limits of the basin and interior work areas. These three areas, in order of increasing size, include the 25% capacity elevation contour boundary (25% of design capacity), the mowing contour boundary, and the 100% capacity elevation contour boundary (100% of design capacity). The current LACFCD design capacity for a debris basin is the volume of debris a basin can impound, which depends on the characteristics of the upstream watershed and rainfall data for the area.

- The 25% contour delineates the portion of the debris basin that receives periodic sediment removal as needed to maintain the capacity of the basin at or below this contour elevation. Maintenance of each basin at or below the 25% contour provides that adequate capacity is available to protect downstream areas from future storm water flows.
- The mowing contour is similar to and often overlaps the 25% contour and is the portion of the debris basin that receives annual vegetation trimming and/or mowing.
- The basin limit contour delineates the design capacity of each basin (i.e. the 100% contour). The boundary of the LACFCD-owned property containing the debris basin generally extends outside the basin limit contour, and often includes an access road for LACFCD maintenance vehicles.

Routine Maintenance Activities

Routine maintenance (RM) activities consist of hand clearing, annual mowing, debris basin cleanouts, or other means of minor vegetation management and/or structural repairs necessary to maintain the functionality of the debris basin and comply with State Division of safety of Dams (DSOD) and vector and fire control requirements. RM may consist of any combination of the following activities.

A) The Removal of Fallen and Dead Trees and Annual Brush Maintenance

The removal of fallen and dead trees and annual brush maintenance will not to exceed 50 cubic yards, combined fallen, dead trees and brush, annually. Heavy equipment such as dump truck and backhoes will not be utilized in areas of the basins where vegetation may be crushed or damaged outside the 25% contour. Outside the 25% contour all debris clearing and tree trimming shall be done by hand using hand tools, and only to the extent necessary to facilitate the project goals. It is understood that in some situations heavy equipment must be utilized to remove large, cumbersome, or dangerous materials. When heavy equipment must be utilized the biologist shall

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 9 of 24

clearly mark a path to and from the debris to be removed and equipment Permittee's shall stay within the demarcated zone. If any plant or animals identified as Department species of special concern, or state listed or threatened species may be impacted as a result of these activities, the Department shall be contacted PRIOR to any work being conducted and an exclusionary plan shall be created and implemented to avoid impacts to those resources. For purposes of mowing only: after appropriate surveys have been conducted by a qualified biologist, and where suitable habitat exists in an adjacent upland area where species may disperse, LACFCD may mow within the 25% contour without PRIOR notification to the Department. However, if biological surveys indicate a state listed or candidate species could be impacted, no maintenance may be conducted PRIOR to consultation with the Department.

B) Tree Trimming

Trees throughout the riparian areas outside the 25% contour, other than willow species, that require trimming shall only be trimmed under supervision of a tree surgeon or qualified arborist. This Agreement does not authorize the removal of any trees with a diameter at breast height (DBH) of greater than 4 inches without PRIOR Department approval. Based on new information additional protective measures and mitigation may be required.

C) Brush Clearance and Vegetation Mowing

The brush clearance program requires removal and reduction of dead trees and trimming or thinning of bushes and shrubs, and removal of other combustible refuse near roads, fences, buildings, and combustible fences. Where brush clearance activities are to be conducted outside the 25% contour, no more than 50 total cubic yards of this types material shall be removed annually without additional consultation from the Department. If greater than 50 cubic yards of materials need to be cleared from any one basin during any one RM activity additional consultation with the Department shall be required and additional protective measures and/or mitigation may be required. This Agreement does not authorize large scale fuel modification activities.

Vegetation removal and facility repairs within LACFCD's debris basin limits would be performed as required or requested by the California Department of Water Resources, Division of Safety of Dams (DSOD), the Agricultural Commission (AC), the Vector Control District (VCD), or local fire Departments. Upon receipt of notices from DSOD, AC, VCD or local fire Departments that vegetation removal and/or repairs are required, LACFCD would inform the Department and provide copies of the notices or email requests. LACFCD must remove vegetation that would be creating a fire hazard, vector, and/or odor nuisance to adjacent properties or that may be detrimental to the public health and safety, and the stability of the debris basin. If removal of this vegetation requires passing through an area that would be outside the boundaries of the notice, LACFCD would provide a description of that path when notifying Department.

- 1. Vegetation mowing at all debris basins would be performed annually between August 16th and March 15th to prevent or minimize impacts on nesting birds that may be present at the facility.
- 2. If mowing during the nesting season (e.g., mid-February through mid-August) is necessary, a qualified biologist shall perform a nesting bird survey prior to initiation of mowing if there would be a potential for impacts to nesting birds and results, including negative findings are submitted to the Department for concurrence. Additional restrictions and protective measures can be found in the Resource Protection portion of this Agreement.
- 3. Mowing using mechanical mowers would be performed within the 25% contour of debris basins. Exotic and invasive/weed removal would be performed by hand between the 25% and 100% contours for fire and invasive vegetation control.

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 10 of 24

- 4. The 25% contour location is based on previous surveys performed at the basins. Handheld GPS equipment would be used in the field to determine several points in the basin that define the 25% contour. These GPS points would be imported into database spreadsheets. The data would be used in the field to determine or mark the 25% contour limits prior to initiation of mowing activities.
- 5. Invasive vegetation would be removed first by hand and put onto a tarp or handled according to the different methods discussed below under "Exotic Species Eradication Control".
- 6. All pre- and post mowing site visits would be conducted by a qualified biologist to ensure that all mowing activities are performed according to the provisions of the Long-term Agreement or other applicable regulatory agency permits. Before and after photos (either by biologists or LACFCD staff), monthly schedule updates, and biological monitoring status reports from the biologists would be conducted and included as part of the annual debris basin maintenance monitoring report.

D) Entrainment Channel and Outlet Tower Area Clearing

- 1. Maintenance of a small (i.e., no more than 10-foot wide) entrainment channel that extends from the basin outlet tower to the upstream end of the LACFCD easement along the flow path, and a 15-foot wide radius area immediately around the outside surface of an outlet tower at the top of the deposited debris would be performed annually to prevent clogging of the tower inlet and to direct the low flow discharge from the basin into the outlet tower.
- 2. In cases where a basin, in a non-burned watershed that has less than 25% capacity, has sufficient accumulated debris to require clearing around the outlet tower (i.e., greater than 5-feet deep from the bottom of the basin), the following condition shall apply when removing sediment around the outlet tower: Sediment clearing around the tower to ensure a clean tower inlet would require excavating a 15-foot radius from the tower's outer surface to the basin bottom elevation. This bottom basin elevation would be as shown on the ultimate cut plan for that basin. At the outer circumference of the 15-foot cleared area, a 2:1 slope shall be constructed to meet the existing debris surface. This would ensure that no material would fall against the tower during or after a storm event. Therefore, excavating would require additional vegetation and sediment removals, as necessary, to create a 2:1 slope from the top of the sediment to the bottom of the excavated area to operate a backhoe (or gradall) and provide access for a truck to remove the excavated debris.
- 3. These annual maintenance activities would be performed immediately following the mowing activities to minimize impacts on vegetation, or thereafter during the storm season as deemed necessary by LACFCD. If work needs to be performed during the nesting season, a biological monitor would be present and/or available during the mowing activities to ensure compliance with nesting bird requirements. Both mechanical and non-mechanical tools would be used, as necessary, to perform the maintenance activities.

E) Sediment Removal

Sediment removal would be authorized under the following conditions: Removal of accumulated sediment is necessary when the basin capacity reaches or exceeds the 25% contour. Sediment removal is completed with heavy equipment, such as a backhoe(s) or excavator(s), transferring the sediment into a dump truck(s). Generally, 10-cy trucks are used to transport the sediment from

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 11 of 24

the debris basin to a designated sediment placement site. There are multiple variables that contribute to the rate at which the 25% contour would be filled, thereby triggering a cleanout requirement. Many of these factors, such as wildfires, amount of annual rainfall, and changes in land use conditions upstream of the basin, cannot be anticipated. These types of variables make it impractical to predict the frequency of basin sediment removal activities; however, historically the basins have been cleaned out generally once every 5 to 20 years. The length of time it takes to clear sediment from a basin is dependent on its size. Smaller debris basins are typically cleared in one to three days, while medium and larger basins can require between 1 week and up to 4 to 6 weeks, weather dependent. The overall cleanout period can be longer (i.e., up to 12 weeks) for larger basins because of weather delays, as sediment clearing is suspended for rain. Although sediment clearing is generally accomplished in the months prior to the rainy season (between mid-August and early November), this activity are can occur year-round as needed to adequately maintain the flood-control facilities. If maintenance activities are proposed at a time that sensitive biological resources may be affected, such as the nesting bird season, specific preventative measures would be implemented in accordance with all applicable permits, including the proposed provisions of this Agreement discussed further below.

- 1. When the quantity of sediment in a debris basin has reached or exceeded the 25% of the debris basin's volume.
- 2. When the quantity of sediment in a debris basin has reached or exceeded 5% or more of the basin's capacity and more than 20% of the watershed upstream of the debris basin has burned within the previous 5 years.
- 3. Sediment removal in all debris basins would occur between August 16th and March 15th of any given storm season unless prior approval is received from the Department If work in progress could potentially extend beyond March 15th LACFCD would be required to perform the necessary nesting bird surveys, in accordance with other provisions of this Agreement, before work may continue uninterrupted.
- 4. Sediment removal below the cleanout thresholds listed above would only be performed after prior approval from all agencies.
- 5. Sediment removal usually involves excavation, fill, and land clearing activity. The work would be performed using mechanical equipment and non-mechanical activities such as hand clearing. Work would be performed within the existing and defined right-of-way easements. All buried vegetation within the sediment deposition zone would be removed with the sediment as part of the removal activity.
- 6. A qualified biological monitor would be present or available before and during the sediment removal activities to ensure protection of resources.
- 7. A Water Diversion Plan would be prepared and appropriate Best Management Practices (BMPs) installed prior to start of work when a basin has ponded or flowing water. The plan would include appropriate BMPs and water sampling and testing protocols to comply with applicable Regional Water Quality Control Board (RWQCB) requirements. Similar to the RWQCB permit conditions, copies of the water sampling testing results would be submitted to the Department for its records.
- 8. Two standard water diversion plans (diversion plans) that have been previously approved by agencies and used by LACFCD during previous basin cleanouts that involved ponded or flowing water are included as part of the Long-term Agreement. Any future debris basin cleanout activity would use either one of the diversion plans and

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 12 of 24 would notify the Department in writing. No diversion plans would be submitted prior to start of the cleanout. However, if LACFCD believes there would be a need to deviate from the pre-approved water diversion plan, a modified diversion plan would be submitted to the Department for review and approval.

F) Maintenance of Access Road and Other Appurtenances

- 1. Maintenance would be authorized, including restoration/reconstruction of existing access roads to and into debris basins, parking and turnaround areas, crest of spillway and spillway structures, provided the footprint does not change and the minimum width and length of the road necessary to provide access for routine maintenance and sediment removal. Reconstruction and maintenance of fences and other appurtenances would be also authorized. Appropriate BMPs would be installed prior to start of performing maintenance activities.
- 2. Annual inspections of the debris basin structures would be conducted, including minor repairs of outlet towers and access railings/stairs, graffiti removals, spillway, inlet and outlet pipe structures/chutes, riprap, trash racks, facing slabs, gage boards, slow and down drains, fence, unclogging of outlet towers, and other appurtenances to ensure compliance with other agency requirements and for the safety of the basin dam structures. This may require the use of hand and/or mechanical equipment and trucks to enter the basins to perform the repairs.

G) State Division of Safety of Dams (DSOD) Compliance

Removal of vegetation and/or accumulated trash/debris, including repair of rodent-damaged portions on the upstream and downstream faces of the debris basin dam and abutments would be allowed as necessary to comply with dam safety requirements of the DSOD and/or to ensure the integrity of the embankment. Additional maintenance activities may be required by State DSOD and shall be performed accordingly to comply with applicable regulations, including notification and coordination with Department and other agencies.

H) Storm Damage Repair and Restoration Projects

Storm damage repair and restoration of existing structures back to pre-storm conditions includes eroded or damaged slopes and embankments, down drains, inlet and outlet pipes and related structures, and other on-site structures. E-mail notification to the Department would be required prior to initiation of any such storm damage repair or restoration projects for existing structures.

Special Conditions

Sediment removal from debris basins would be allowed whenever necessary to protect downstream public health, safety and welfare; the debris basins with special situations that warrant specific conditions are listed below in Table 2 with the appropriate restrictions necessary to protect the environmental resources values present. Wilson Debris Basin requires a phased clearance program which is intended to reduce the amount of vegetation removed in any one year from vegetation mowing activities.

Table 2-Special Conditions

| Debris Basin | Special Condition |
|-----------------|---|
| Big Dalton & | Sediment removal activities would be conducted between August 15th and November 15th and would avoid major trees located within the slopes of the basin banks where at all possible, even |
| Englewild | when cleaning within the 25%-100% contour. |

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 13 of 24 These basins are significantly undersized and require sediment clearing whenever the basin Linda Vista reaches 5% of maximum capacity, regardless of the upstream watershed conditions. Should the facility be redesigned, LACFCD would consult with the agencies on the proposed capacity in order Mullally to allow area for riparian vegetation to develop. This special condition would be void once the basins were built. Santa Anita Sediment removal activities would be conducted between August 16th and November 15th and would avoid existing large willows near the dam on both sides of the basin. Willow growth on the upstream dam face may be removed for dam safety purposes. A 10-foot wide channel within the path of the inflow, through the willow grove located at the upstream end of the basin reservoir, would be maintained as-needed to relieve the blockage of debris upstream of the trees and allow debris and sediment to reach the basin. A 16-foot wide access area along the toe of the upstream dam embankment face and the west embankment (adjacent to the access road and the residential homes) would be cleared of vegetation and maintained to allow maintenance vehicle trucks or equipment To access the outlet tower from the west invert access ramp for maintenance, to conduct upstream spillway embankment inspection, and to maintain a fire hazard clearing area on the west side of the A 15-foot wide radius clearance area around the outside surface of the tower would be cleared of debris, vegetation, and sediment to unclog the outlet tower inlets, ensure proper drainage, and to direct storm flows into the outlet tower. A Vegetation Management Plan would be submitted at a later date in consultation with the Department. LACFCD would avoid tributaries entering the debris basin unless they are inundated with sediment. Sawpit Sierra The State Division of Safety of Dams (DSOD) requires Sierra Madre Dam to be cleaned out whenever the accumulated debris surface reaches a target elevation of 1,128. 9 feet above mean **Madre Dam** sea level (msl). This elevation corresponds to the maximum water and silt level at which the debris basin could safely operate in the event of a maximum credible earthquake. Wilson See Attached Graphic (Exhibit 2-2, Wilson Debris Basin Phased Clearance). The area within the 25% contour that would be downstream of the July 2008 mature vegetation line (as indicated by a purple line on attached graphic) would be mowed annually in its entirety. Beginning at the edge of the mature vegetation line, the remainder of the 25% contour would be segregated into two areas by the control line. The eastern section would be mowed during even numbered years and the western portion would be moved during odd numbered years. Training channels would be cut along the toe of both sides of the basin. The training channel along the west side of the basin would collect waters flowing from the canyon. This western channel would be maintained up to the mature vegetation line annually. During odd numbered years, when the western half of the mature area would be cleared, the training channel would be extended to the furthest upstream point to collect the canyon runoff. The training channel along the east side would collect water coming from a natural spring along that bank of the channel. A culvert would be placed to funnel the water under the basin access road and would be maintained annually. A 15-foot wide radius clearance area around the outside surface of the outlet tower would be cleared annually of debris, vegetation, and sediment to unclog the outlet tower inlets, ensure proper drainage, and to direct storm flows into the outlet tower.

IMPACTS

All impacts associated with the Permittee's activities are within and adjacent to the 162 debris basins and are described in Table 3 below. Ranking methodology considers habitat that occurs between the 25% and 100% DB contour that will likely remain intact during LACFCD RM activities as well as interim habitat values². In addition, approximately 35 acres of habitat within the 25% to 100% contour are considered essentially preserved and would only be impacted in an emergency situation. They are not part of the mitigation package.

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 14 of 24

Table 3: Acreage impacted by Routine Maintenance Activities

| Table 5. Acreage impacted by Routine Maintenance Activities | | Total Mitigation for Impacts |
|---|--------------------------------|--|
| VEGETATION TYPE | Impacts within 25% Mow Contour | Total Mitigation for Impacts within 25% Mow Contour |
| Alluvial Sage Scrub | 1.38 | 2.07 |
| Alluvial Sage Scrub/Sycamore Riparian Woodland | 0.44 | 0.89 |
| California Walnut Woodland ³ | 0.17 | 0.17 |
| Freshwater Marsh | 4.44 | 2.21 |
| Hollyleaf Cherry Woodland | 0.08 | 0.11 |
| Mixed Sage Scrub | 7.86 | 5.22 |
| Mixed Sage Scrub/Needle Grass Grassland | 0.00 | 0.00 |
| Needlegrass Grassland | 0.00 | 0.00 |
| Oak Woodland ³ | 3.09 | 2.03 |
| Oak Woodland/California Walnut Woodland | 0.00 | 0.00 |
| Oak Woodland/Sycamore Riparian Woodland | 0.00 | 0.00 |
| Oak/Sycamore Riparian/California Walnut Woodland | 0.05 | 0.05 |
| Oak/Sycamore Riparian/Willow Riparian Woodland ³ | 0.09 | 0.09 |
| Southern Willow Scrub | 1.70 | 0.92 |
| Southern Willow Scrub/Freshwater Marsh | 0.26 | 0.13 |
| Sycamore Riparian Woodland | 0.00 | 0.00 |
| Willow Riparian Woodland | 4.21 | 4.00 |
| Willow Riparian/Sycamore Riparian Woodland | 0.00 | 0.00 |
| Oak Woodland/Chaparral ³ | 0.04 | 0.03 |
| Sycamore Riparian Woodland/Unvegetated Wash | 0.00 | 0.00 |
| Chaparral | 1.57 | 0.00 |
| Chaparral/Mixed Sage Scrub | 2.04 | 1.16 |
| Mixed Sage Scrub/California Annual Grassland | 0.15 | 0.11 |
| Mulefat Scrub | 1.74 | 1.45 |
| Oak Woodland/Ornamental | 0.00 | 0.00 |
| Ornamental/Southern Willow Scrub | 0.00 | 0.00 |
| Riparian Herb | 1.90 | 0.67 |
| Saltbush Scrub | 0.38 | 0.10 |
| Chaparral/California Annual Grassland | 0.02 | 0.01 |
| Open Water | 6.78 | 0.00 |
| California Annual Grassland | 2.36 | 0.00 |
| Unvegetated Wash | 1.49 | 0.00 |
| Ornamental | 2.51 | 0.00 |
| Ruderal | 71.88 | 0.00 |
| Developed | 8.99 | 0.00 |
| Disturbed | 58.99 | 0.00 |
| Un-mapped | 0.00 | 0.00 |
| TOTAL IMPACTS | 184.60 | 21.41 |

THEREFORE, the Department hereby proposes measures to protect fish and wildlife resources during the Permittee's work. The Permittee hereby agrees to accept the following conditions as part of the proposed work.

MITIGATION

All impacts shall be mitigated through a combination of onsite preservation and/or creation and offsite preservation totaling 21.41 acres, as shown in the Table 4. Onsite mitigation shall include up to 6.42 acres by preserving the existing vegetation between the 100% contour and the 25%-mow contour and an additional 14.99 acres of preservation through offsite acquisition

Table 4-Total On-Site Preserved Acreage and Total Off-Site Mitigation Obligation

| | | Total Acres Preserved | |
|------------------|----------------|-----------------------|---------------------|
| | Total Required | between 25% | Total Off Site |
| Vegetation Type. | Mitigation | and 100% Contour | Mitigation Required |

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 **Page** 15 of 24

| Alluvial Sage Scrub | 2.07 | 0.62 | 1.45 |
|--|-------|------|-------|
| Alluvial Sage Scrub/Sycamore Riparian Woodland | 0.89 | 0.27 | 0.62 |
| California Walnut Woodland | 0.17 | 0.05 | 0.12 |
| Freshwater Marsh | 2.21 | 0.66 | 1.55 |
| Holly leaf Cherry Woodland | 0.11 | 0.03 | 0.08 |
| Mixed Sage Scrub | 5.22 | 1.57 | 3.65 |
| Mixed Sage Scrub/Needlegrass Grassland | 0.00 | 0.00 | 0.00 |
| Needlegrass Grassland | 0.00 | 0.00 | 0.00 |
| Oak Woodland | 2.03 | 0.61 | 1.42 |
| Oak Woodland/California Walnut Woodland | 0.00 | 0.00 | 0.00 |
| Oak Woodland/Sycamore Riparian Woodland | 0.00 | 0.00 | 0.00 |
| Oak Woodland/Sycamore Riparian Woodland/California Walnut Woodland | 0.05 | 0.01 | 0.03 |
| Oak Woodland/Sycamore Riparian Woodland/Willow Riparian Woodland | 0.09 | 0.03 | 0.06 |
| Southern Willow Scrub | 0.92 | 0.28 | 0.64 |
| Southern Willow Scrub/Freshwater Marsh | 0.13 | 0.04 | 0.09 |
| Sycamore Riparian Woodland | 0.00 | 0.00 | 0.00 |
| Willow Riparian Woodland | 4.00 | 1.20 | 2.80 |
| Willow Riparian Woodland/Sycamore Riparian Woodland | 0.00 | 0.00 | 0.00 |
| Oak Woodland/Chaparral | 0.03 | 0.01 | 0.02 |
| Sycamore Riparian Woodland/Unvegetated Wash | 0.00 | 0.00 | 0.00 |
| Chaparral | 0.00 | 0.00 | 0.00 |
| Chaparral/Mixed Sage Scrub | 1.16 | 0.35 | 0.81 |
| Mixed Sage Scrub/California Annual Grassland | 0.11 | 0.03 | 0.08 |
| Mulefat Scrub | 1.45 | 0.44 | 1.02 |
| Oak Woodland/Ornamental | 0.00 | 0.00 | 0.00 |
| Ornamental/Southern Willow Scrub | 0.00 | 0.00 | 0.00 |
| Riparian Herb | 0.67 | 0.20 | 0.47 |
| Saltbush Scrub | 0.10 | 0.03 | 0.07 |
| Chaparral/California Annual Grassland | 0.01 | 0.00 | 0.01 |
| Open Water | 0.00 | 0.00 | 0.00 |
| California Annual Grassland | 0.00 | 0.00 | 0.00 |
| Unvegetated Wash | 0.00 | 0.00 | 0.00 |
| Ornamental | 0.00 | 0.00 | 0.00 |
| Ruderal | 0.00 | 0.00 | 0.00 |
| Developed | 0.00 | 0.00 | 0.00 |
| Disturbed | 0.00 | 0.00 | 0.00 |
| Un-mapped | 0.00 | 0.00 | 0.00 |
| TOTALMITIGATION | 21.41 | 6.42 | 14.99 |

²Please see the MND Appendix A for a descriptive explanation of how the ranking methodology was developed and

Forest. Most of the acquisition sites are either connected to the National Forest or Multi-thousand-acre protected core habitat areas of the Simi Hills or Santa Susana Mountains. All acreage restored or acquired would contain the vegetation types impacted. All acquired properties would be managed by the Mountains Recreation Conservation Authority (MRCA) of the Santa Monica Mountains Conservancy (SMMC) under an appropriate management agreement with the LACFCD.

All properties acquired for mitigation associated with impacts resulting from RM activities conducted by the LACFCD shall be protected by the MRCA/SMMC by way of Conservation Easement (CE) where the Department of Fish and Game is named as a third party beneficiary. The conservation easement shall be in place on or before **December 31, 2012**. Placement of the CE shall be the sole responsibility of the MRCA/SMMC.

employed to determine acreage mitigation values.

This Agreement does not authorize the removal of any trees with a DBH of greater than 4 inches without PRIOR Department approval. Impacts to trees with a DBH of greater then 4-inch are predominately from trimming activities.

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 16 of 24

The document titled "Mitigation Proposal for Habitat Restoration and Acquisition within the Upper Los Angeles River Watershed (HMMP)", prepared by the MRCA/SMMC for LACFCD, dated July 02, 2010. The Department has reviewed and approved the mitigation package and the HMMP shall be fully executed between MRCA/SMMC and LACFCD and be provided to the Department by **June 30, 2011.**

ADDITION OF DEBRIS BASINS

It is recognized that from time to time the LACFCD accepts Debris Basins constructed and initially maintained by private development interests for County ownership and maintenance. In most cases, these Debris Basins were constructed under separate Streambed Alteration Agreements with the private developers. The Department understands that upon such acceptance, the LACFCD will then assume maintenance responsibility for these Debris Basins and that such maintenance would need to be subject to the provisions of this Agreement. Prior to transfer of these drains to LACFCD, however, the developers are required by LACFCD to obtain a maintenance agreement from the Department. Prior to its transfer to the LACFCD for maintenance, any mitigation required by the Department for future maintenance of the proposed transferred drain, remains the responsibility of the developer. The developer must provide both the Department and LACFCD the appropriate mitigation documentation prior to its transfer. The Department, therefore, will not require any additional mitigation for such Debris Basin when the LACFCD requests to amend this Agreement to add these newly transferred Debris Basins.

If the proposed Debris Basin does not fall under this category, however, the Department will amend this Agreement to add the Debris Basin if the LACFCD agrees to apply the same ranking methodology used to determine the replacement acreage for maintenance impacts as specified in Table 4 of this Agreement (the Table 4 Methodology). The LACFCD's Amendment request to add a Debris Basin(s) shall be submitted to the Department accompanied by an analysis of each Debris Basin's vegetation acreages and potential maintenance clearing impacts using the Table 4 Methodology. After review of the LACFCD Amendment Request, if the Department finds that the proposed additional Debris Basin(s) and the proposed replacement mitigation ratio(s) are consistent with the Table 4 methodology, the Department will approve the Amendment, thereby adding the additional Debris Basin(s) to all applicable Tables in this Agreement. The remaining term of this Agreement at the time of each amendment shall not be changed. It is hereby agreed that the LACFCD may submit a request to the Department to amend this Agreement to add any such Debris Basin(s) that was accepted for maintenance by the LACFCD and that the Department will amend this Agreement to add Debris Basin(s)."

AGREEMENT

If the Permittee's work changes from that described herein, this Agreement is no longer valid and a new notification shall be submitted to the Department. Failure to comply with the provisions of this Agreement and with other pertinent code sections, including but not limited to Fish and Game Code Sections 5650, 5652, 5937, and 5948, may result in prosecution.

Nothing in this Agreement authorizes the Permittee to trespass on any land or property, nor does it relieve the Permittee of responsibility for compliance with applicable Federal, State, or local laws or ordinances. A consummated Agreement does not constitute Department's endorsement of the proposed operation, or assure the Department's concurrence with permits required from other agencies.

This Long-Term Streambed Alteration Agreement (LSAA) becomes effective the date of Department's signature and terminates on December 31, 2028, for LACFCD's routine maintenance activities in DB's, tributaries to Los Angeles River, San Gabriel River, Santa Monica Bay, Dominguez Channel, and Santa Clara River watersheds. This LSAA shall remain in effect for that time necessary to satisfy the terms/conditions of this LSAA. Any provisions of the Agreement may be amended at any time provided such amendment is agreed to in writing

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 17 of 24 by both parties. Mutually approved amendments become part of the original Agreement and are subject to all previously negotiated provisions.

Pursuant to Section 1600 *et seq.*, the Permittee may request one extension of the Agreement; the Permittee shall request the extension of this Agreement prior to its termination. The one extension may be granted for the original term of this Agreement (18 years), from the date of termination of the Agreement, and is subject to Departmental approval. The extension request and fees shall be submitted to the Department's South Coast Office at the above address. If the Permittee fails to request the extension prior to the Agreement's termination, then the Permittee shall submit a new notification with fees and required information to the Department. Any maintenance/impacts conducted under an expired Agreement are a violation of Fish and Game Code Section 1600 *et seq.* For complete information see Fish and Game Code Section 1600 *et seq.*

It is understood that the Department has entered into this Agreement for purposes of establishing protective provisions for fish and wildlife. The decision to proceed with the project is the sole responsibility of the Permittee, and is not required by this Agreement. It is further agreed that all liability and/or incurred cost related to or arising from the Permittee's project and the implementation of the fish and wildlife protective conditions of this Agreement, remain the sole responsibility of the Permittee. The Permittee agrees to hold harmless the State of California and the Department against any related claim made by any party or parties for personal injury or any other damages.

CONDITIONS

The following provisions constitute the limit of activities agreed to and resolved by this Agreement. The signing of this Agreement does not imply that the Permittee is precluded from doing other activities at the site. However, activities subject to Fish and Game Code Section 1600 *et seq.* and not specifically agreed to and resolved by this Agreement shall require separate notification.

Fish and Wildlife Protection

- 1. The typical maintenance regimen will be to mow in the late summer/fall to allow interim habitat value annually in the spring. The Permittee does not intend to conduct the maintenance mowing outside of the late summer/fall window, unless unusual circumstances develop. If work must be done in vegetated basins, appropriate surveys shall be conducted, and all mowing activities shall be monitored by a qualified biologist.
- 2. Except as otherwise stated in this Agreement, when a qualified biologist is required, at a minimum the biological monitor shall fence and/or flag the site, be present at the beginning of the work, and then check daily to ensure all impacts to nesting birds are avoided as work proceeds.
- 3. If the site has not been mowed within the last 12 months, the Permittee shall not remove or otherwise disturb vegetation or conduct any other project activities on the Project sites from March 15th to August 15th to avoid impacts to breeding/nesting birds; OR, if the site has been mowed within the last 12 months, the Permittee shall not remove or otherwise disturb vegetation or conduct any other project activities on the Project sites from March15th to August 31st to avoid impacts to breeding/nesting birds; OR, if work has to fall within the above breeding date restrictions, the Permittee shall have a qualified biologist survey breeding/nesting habitat within the project site and adjacent to the project site for breeding/nesting birds. Documentation of findings, including a negative finding must be submitted to the Department for review PRIOR to impacts. If no breeding/nesting birds are observed, the biologist may allow activities to begin. Activities must be initiated within 72 hours of the conclusion of surveys. The Biologist shall provide the Department field notes or other documentation within 24 hours of completing the surveys. An email report with a letter report to follow may be used. The email/letter report should state how impacts of any nesting birds will be avoided by citing the appropriate information from these conditions.

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 18 of 24

- 4. If breeding activities and/or an active bird nest is located, the breeding habitat/nest site shall be fenced and/or flagged a minimum of 300 feet (500 feet for raptors) in all directions, and this area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project.
- 5. Be advised, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (NBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 2503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
- 6. If threatened or endangered species are observed in the area, no work shall occur from March 1st through September 15th to avoid direct or indirect (noise) take of listed species and State and/or Federal threatened/endangered species. Please note that additional state permits may be required prior to commencing project activities. This Agreement does not authorize take of species listed as Threatened and/or Endangered.
- 7. All equipment shall be free of weed seeds prior to delivery to the site.
- 8. Disturbance or removal of vegetation shall not exceed the limits approved by the Department, and as described in Table 2, above.
- 9. No impacts shall occur to sycamore, cottonwood, coast live oak, and Southern California black walnut trees without specific approval PRIOR to impacts. These trees do not exist in the mowing footprint, but do exist adjacent to the basins, and on the slopes above the basins.
- 10. Mowed native vegetation that is mulched may be left onsite except as provided otherwise in these conditions.
- 11. The work area shall be flagged or marked to identify its limits within the stream/reservoir/basin. Vegetation shall not be removed or intentionally damaged beyond these limits.
- 12. No living native vegetation shall be removed from the channel, bed, or banks of the stream outside of the mowing area of the debris basins, unless they are exotic/invasive vegetation.
- 13. No equipment shall be operated within the dripline of oaks. Protective fencing shall be placed around the dripline of oaks to prevent compaction of the root zone.

Removing Non-Native Vegetation and Exotic Species Removal and Control

- 14. When feasible and appropriate, weed/invasive vegetation removal would be allowed without prior notification consistent with the following measures: LACFCD would remove any invasive vegetation Arundo (*Arundo donax*), tamarisk (*Tamarix* spp.), eucalyptus-immature 3"< (*Eucalyptus* spp.), pepper tree (*Schinus molle*), castor bean (*Ricinus communis*), African umbrella sedge (*Cyperus eragrostis, Nutsedge*), mustards (*Brassica* spp.), tree tobacco (*Nicotiana glauca*), periwinkle (*Littorina* spp.), and pampas grass (*Cortaderia selloana*) from the debris basin(s) under the supervision of a biologist and would dispose of it in a manner and a location that prevents its reestablishment. Removal would occur at the optimum time of the year and as often as necessary to attain complete control of target species. Native riparian vegetation would be flagged and avoided.
 - Giant Reed (Arundo), if present, would be cut to a height of 6 inches or less, and the stumps painted with an herbicide approved for aquatic use within 5 minutes of cutting. The initial cutting, or excavation of the root ball, would be to be done in the fall. The follow-up spraying occurs in the spring/summer months, when the re-growth would be only approximately knee-high.

- At all basins, stands of Arundo, tamarisk, castor bean, or other invasive species that may be identified by a biologist as having a high probability of spreading/propagating would be cut by hand or other equipment, with the cuttings placed on tarps or other means to minimize the spread within the basin during transport from the site for off-site disposal, in order to prevent reestablishment in any water body. Alternate methods of containing and hauling invasive species off-site also include covering invasive trees with plastic bags before cutting, directly disposing or loading them into a nearby truck or mechanical bucket immediately after cutting, or any other available and feasible operation means to respond to each site condition.
- 2. Another approved Arundo and other invasives eradication method would be the "spraying re-growth method", whereby either the Arundo would be cut to approximately one foot above the ground surface or the root ball would be removed, and then the new re-growth would be sprayed as necessary until the Arundo would be eradicated. If the spray would be applied to the re-growth when it would be only knee-high, as described earlier in this condition, no nesting surveys are required. For other invasive species, post-emergent herbicide spraying (RoundUp or AquaMaster) would only be used areas with dense invasive vegetation, if necessary, and left for a week prior to its removal. This allows for the chemical to work and to get absorbed within the plant and roots system for more cost-effective eradication.
- 3. On sites where equipment access would be feasible, Arundo, castor bean, or other areas with dense invasive vegetation may be removed mechanically, except in areas where intermixed with native vegetation. If this treatment option would be preferred, LACFCD would make every effort to completely remove root masses. Biological monitoring, as necessary, would be provided during the mechanical removal activities for the term of the Agreement to control Arundo (and other invasive vegetation) re-sprouts using an approved control methodology.
- 15. The Permittee shall remove any non-native vegetation (tree tobacco, castor bean, giant cane, tamarisk, etc.) from the work area and shall dispose of it in a manner and a location which prevents its reestablishment. Removal shall be done during the spring/summer season, as needed, until the exotics are eradicated.
- 16. At all basins, mowing may not cut into stands of giant cane (arundo), tamarisk, or other invasive species that may be identified by a biologist as having a high probability that mowing would cause the spread/propagation of such species. Rather, stands of such vegetation shall be cut by hand with the cuttings placed on tarps and removed from the site for disposal, which prevents its reestablishment in any water body. The site will then be treated immediately with an appropriate herbicide. Where there is a possibility that the herbicide could come into contact with water, the Permittee shall employ only those herbicides, such as AquaMaster (Glyphosate), which are approved for aquatic use. Arundo, (giant cane), if present, shall be cut to a height of 6 inches or less, and the stumps painted with a herbicide approved for aquatic use within 5 minutes of cutting. Herbicides shall be applied during the period of May 1st to October 1st to eradicate these plants. Another arundo eradication method is the "spraying the re-growth method", where either the cane will be cut to approximately one foot above the ground surface or the root ball is removed, and then the new re-growth will be sprayed as necessary until the arundo is eradicated.
- 17. When proposed methods to remove arundo deviate from these procedures, the Permittee shall

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 20 of 24 present the alternate method(s) in writing to the Department for review and coordination prior to project implementation. Any alternate method(s) shall comply with conditions of this Agreement, including, but not limited to: a. where there is a possibility that the herbicide could come into contact with water, the Permittee shall employ only those herbicides, such as AquaMaster (Glyphosate), which are approved for aquatic use. If surfactants are required, they shall be: a) restricted to non-ionic chemicals, such as Agri-Dex, which are approved for aquatic use; b) all impacts to nesting birds shall be avoided; and c) invasive vegetation shall be disposed of in a manner and a location which prevents its reestablishment.

- 18. The Permittee shall apply any herbicides in accordance with state and federal law. No herbicides shall be used where threatened or endangered species occur. Herbicides shall be used under the direction of licensed Pesticide Advisor. No herbicides shall be used when wind velocities are above 5 miles per hour.
- 19. No herbicides shall be used on native vegetation unless specifically authorized, in writing, by the Department.
 - A small amount of selective trimming of native bushes and ground cover species may occur to prevent overspray of herbicide from reaching these species, but only as provided within the conditions of this Agreement. Native vegetation may only be trimmed; individual plants shall not be removed. Any trimming to native trees in excess of three (3) inches DBH shall require specific notice to and consultation with the Department.
 - Herbicide mixing sites shall only be located at an existing road site, or areas devoid of any vegetation. All herbicide preparation shall occur outside of any stream, lake, or adjacent riparian habitat.

Equipment and Access

- 20. Staging/storage areas for equipment and materials shall be located outside of the Debris Basin's 100% contour area. In the middle of a Debris Basin cleanout, equipment may stay within the basin itself, if necessary, outside of the water, and will be removed from the basin if there is a forecast of rain within the next 24 hours.
- 21. Vehicles shall not be driven or equipment operated in water covered portions of a stream or lake, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed, except as otherwise provided for in the Agreement and as necessary to complete authorized work.
- 22. No work shall be done during the wet season. All maintenance activities shall be conducted when the streambed is dry. Vehicles shall not be driven or equipment operated in water covered portions of a stream or lake, or where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed. The Department must be notified within 24 hours by email or fax if it becomes necessary to work in a wetted stream. The Permittee shall have a qualified biologists conduct surveys for emergent species and results, including negative finding, shall be submitted to the Department, and concurrence has been received by the Department, prior to the commencement of any work in a wetted stream. It is understood that conditions may need to be revised or added based on new information.
- 23. Access to the work site shall be via existing roads and access ramps. If no ramps are available in the immediate area, the Permittee may construct a ramp in the footprint of the project. Any ramp shall be removed upon completion of the project.

Fill and Spoil

24. This Agreement does not authorize the use of any fill.

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 21 of 24

Structures

- 25. This Agreement does not authorize the construction of any temporary or permanent dam flow restriction device.
- 26. Any materials placed in seasonally dry portions of a stream or lake that could be washed downstream or could be deleterious to aquatic life shall be removed from the project site prior to inundation by high flows.

Pollution, Sedimentation, and Litter

- 27. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into, waters of the State except mowed native vegetation that is mulched may be left onsite except as provided otherwise in these conditions. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake.
- 28. The Permittee shall comply with all litter and pollution laws. All contractors, subcontractors and employees shall also obey these laws and it shall be the responsibility of the Permittee to insure compliance.
- 29. Any equipment or vehicles driven and/or operated within or adjacent ponded water shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.
- 30. Stationary equipment such as motors, pumps, generators, and welders, located within or adjacent to the stream/lake shall be positioned over drip pans.
- 31. No equipment maintenance shall be done within or near any stream channel or lake margin where petroleum products or other pollutants from the equipment may enter these areas under any flow.
- 32. The clean-up of all spills shall begin immediately. The Department shall be notified immediately by the Permittee of any spills and shall be consulted regarding clean-up procedures.
- 33. Equipment shall not be operated in wetted areas (including but not limited to ponded, flowing, or wetland areas) without the prior written approval of the Department.
- 34. The Permittee shall have available for workmen, fully covered trash receptacles to contain all food, food scrapes, food wrappers, beverage and other miscellaneous trash. Such trash will be removed and disposed of off-site.
- 35. Raw cement/concrete or washings thereof, asphalt, paint, construction waste, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project-related activities, shall be prevented from contaminating the soil and/or entering the waters of the state. Any of these materials, placed within or where they may enter a stream or lake, by the Permittee or any party working under contract, or with the permission of the Permittee, shall be removed immediately.
- 36. Water containing mud, silt, or other pollutants from equipment washing or other activities, shall not be allowed to enter a lake or flowing stream or placed in locations that may be subjected to high storm flows.
- 37. Rock, gravel, and/or other materials shall not be imported to, taken from or moved within the bed or banks of the stream.

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 22 of 24

Administrative

- 38. The Department believes that permit/certification(s) may be required from the Regional Water Quality Control Board for this project. Should such permits/certification(s) be required a copy shall be submitted to the Department.
- 39. The Permittee shall provide a copy of this Agreement, and all required permits and supporting documents provided with the notification or required by this Agreement, to all contractors, subcontractors, and the Permittee's project supervisors. Copies of this Agreement and all required permits and supporting documents, shall be readily available at work site at all times during periods of active work and must be presented to any Department personnel, or personnel from another agency upon demand. All contractors shall read and become familiar with the contents of this Agreement.
- 40. If the Permittee or any employees, agents, contractors and/or subcontractors violate any of the terms or conditions of this Agreement, all work shall terminate immediately and shall not proceed until the Department has taken all of its legal actions.
- 41. A pre-maintenance meeting/briefing shall be held involving all the contractors and subcontractors, concerning the conditions in this Agreement.
- 42. The Permittee shall notify the Department, in writing, at least five (5) days prior to initiation of maintenance (project) activities and at least five (5) days prior to completion of maintenance (project) activities. Each year, LACFCD shall determine the number of basins that shall require RM and shall submit to the Department the associated fee total, based on the fee schedule in place at the time of the activity (per California Code of Regulations, Title 14), for all the projects scheduled to be completed. The fees shall be sent to the Department by June 01st of each calendar year to: 4949 Viewridge Ave., San Diego 92123, Attn: Streambed Unit, Reference # 1600-2008-0290-R5. If the entity requests an agreement with a term of longer then 5 years, the base fee at a minimum, must be submitted with the notification. The balance of all fees due must be paid prior to the issuance of the agreement. (Fees will be submitted PRIOR to the calendar year)
 - \$2,400 base fee, plus;
 - \$100 for each maintenance project completed per calendar year.
- 43. The Department reserves the right to amend, suspend or cancel this Agreement for the following reasons, including but not limited to:
 - a. The Department determines that the information provided by the Permittee in support of this Agreement/Notification is incomplete or inaccurate;
 - b. The Department obtains new information that was not known to it in preparing the terms and conditions of this Agreement;
 - c. The condition of, or affecting fish and wildlife resources change; and
 - d. The Department determines that project activities have resulted in a substantial adverse effect on the environment.
- 44. Any amendments to this Agreement shall be made in a separate document signed by the Permittee and the Department, and attached to this Agreement. All provisions of this Agreement remain in force throughout the term of the Agreement. Any provisions of the Agreement may be amended or the Agreement may be terminated at any time provided such amendment and/or termination are agreed to in

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 23 of 24 writing by both parties. Mutually approved amendments become part of the original Agreement and are subject to all previously negotiated provisions.

- 45. The Department may suspend or revoke this Agreement at any time if it determines that the Permittee is not in compliance with its terms and conditions, provided that the Department provides the Permittee written notice that explains the basis for the suspension or revocation and provides the Permittee an opportunity to correct any deficiency before the Department suspends or revokes the Agreement. Any suspension or revocation shall take effect immediately upon receipt of such notice by the Permittee, or in accordance with the instructions contained in the notice. Before any suspension or cancellation of the Agreement, the Department will notify the Permittee in writing of the circumstances which the Department believes warrant suspension or cancellation. The Permittee will have seven (7) working days from the date of receipt of the notification to respond in writing to the circumstances described in the Department's notification. During the seven (7) day response period, the Permittee shall immediately cease any project activities which the Department specified in its notification as resulting in a substantial adverse effect on the environment and which will continue to substantially adversely affect the environment during the response period. The Permittee may continue the specified activities if the Department and the Permittee agree on a method to adequately mitigate or eliminate the substantial adverse effect.
- 46. At the Department's discretion, this Agreement may be suspended indefinitely at any time. Any action to suspend this Agreement may be limited in scope to address the specific problem or problems resulting in the suspension. Hence, the Department may limit the suspension to specified work or specified areas. The Department may lift any suspension when it has determined that the Permittee has adequately addressed the problem or problems resulting in the suspension and that reinstatement of the Agreement will not cause harm to fish and wildlife resources."
- 47. The Department reserves the right to enter the project site at any time to ensure compliance with terms/conditions of this Agreement. The Permittee herein grants to Department employees and/or their consultants (accompanied by a Department employee) the right to enter the project site at any time, to ensure compliance with the terms and conditions of this Agreement and/or to determine the impacts of the project on wildlife and aquatic resources and/or their habitats.
- 48. Pursuant to the California Fish and Game Code Section 1605 (g) every four years during the term of this Agreement, until the Agreement expires, a Status Report shall be submitted to the Department no later than 90 days prior to the end of each four year period (**first status report due June 01, 2014**), and shall include the following information:
 - 1) A copy of the original Agreement.
 - 2) The status of the activity covered by the Agreement.
 - An evaluation of the success or failure of the measures in the Agreement to protect the fish and wildlife resources that the activity may substantially adversely affect.
 - A discussion of any factors that could increase the predicted adverse impacts on fish and wildlife resources, and a description of the resources that may be adversely affected.
 - c. Reports shall include photo documentation consisting of "before and after" photos of representative work areas in which maintenance was completed with hand tools, and all areas in which work involving heavy equipment occurred.
 - d. Upon receipt of the Status Report, the Department will contact the Permittee to schedule an onsite inspection by Department staff, to confirm that the Permittee is in compliance with the terms of this Agreement, and that the Agreement is

Streambed Alteration Conditions for Notification No.: 1600-2008-0290-R5 Page 24 of 24 adequately protecting fish and wildlife resources. These onsite inspections shall be conducted by Department staff every four years during the term of this Agreement, until the Agreement expires.

- e. Following review of the Status Report and the onsite inspection, if the Department determines that the measures in the Agreement no longer protect the fish and wildlife resources that are being substantially adversely affected by the activity, the Department, in consultation with the Permittee, and within 45 days of receipt of the report, shall impose one or more new measures to protected the fish and wildlife resources affected by the activity.
- 49. In addition to the above monitoring and reporting requirements, the Department requires that the Permittee:
 - Immediately notify the Department in writing if monitoring reveals that any of the
 protective measures were not implemented during the period indicated in this
 program, or if it anticipates that measures will not be implemented within the time
 period specified.
 - Immediately notify the Department if any of the protective measures are not providing
 the level of protection that is appropriate for the impact that is occurring, and
 recommendations, if any, for alternative protective measures.
- 50. The Department shall verify compliance with protective measures to ensure the accuracy of the Permittee's mitigation, monitoring and reporting efforts. The Department may, at its sole discretion, review relevant documents maintained by the Permittee, interview the Permittee's employees and agents, inspect the work site, and take other actions to assess compliance with or effectiveness of protective measures in this Agreement.

CONCURRENCE

South Coast Region

Los Angeles County Flood Control District Represented by Mr. Rudy Lee, Assistant Deputy Director 900 South Fremont Avenue Annex Building 2nd Floor Alhambra, California, 91803 Telephone: (626) 458-4145

| Name (signature) | Date |
|---|------|
| Name (printed) | |
| Title | |
| California Department of Fish and Game | |
| Helen Birss Environmental Program Manager | |

This Agreement was prepared by Jamie Jackson, Staff Environmental Scientist, South Coast Region