



To: the Clerk to the Board:

COMMENTS ON ORDER No. R4-2015-00X ("Tentative Permit")

WASTE DISCHARGE REQUIREMENTS (WDR) FOR: LOS ANGELES COUNTY FLOOD CONTROL DISTRICT (DISCHARGER), PROPOSED MAINTENANCE CLEARING OF ENGINEERED EARTH-BOTTOM FLOOD CONTROL CHANNELS, LOS ANGELES COUNTY (File No. 99-011)

Friends of the Los Angeles River (FoLAR) appreciates the opportunity to comment on the Tentative Permit. In our review of the Tentative Permit, we are concerned principally with the earthen, soft bottom areas of the Los Angeles River and its main tributaries, primarily where these tributaries intersect with the main channel of the River. These soft bottom areas are at the heart of current educational and recreational uses of the river, and will be central to the future rehabilitation and restoration. State-legislated policy requires that in all aspects of management of the River, recreational and educational uses receive priority as long as these uses are consistent with flood control.¹ A careful balancing is required before taking action that could adversely affect the benefits the public derives from the River, with particular attention to plans to expand these benefits in the future.

The highly vegetated soft bottom reaches of the river are limited relative to the total length of the River, and thus are a particularly valuable resource. Current plans adopted by the City and County of Los Angeles and the U. S. Army Corps of Engineers rely heavily on these reaches. Among the current public uses are non-motorized boating, educational classes, fishing, bird watching, and hiking, all of which will expand with future river rehabilitation. These rely on preserving a healthy ecosystem in the river: maintaining wildlife and fish habitat, native species, and the aesthetics of these vegetated areas.

FoLAR's position is that the following overall principles should govern any action with respect to vegetated areas of the River, and should be incorporated into the requirements for Reach 25, the only reach of the River specifically included in the Tentative Order.

¹ California Senate Bill 1201,(2012), An act to amend Section 2 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles River.

FoLAR

570 West Avenue 26, Suite 250
Los Angeles, California 90065-1047
Tel: 323.223.0585
contact@folar.org
www.folar.org

1. Clearing of vegetation should never be done with heavy mechanical methods that can have severely negative impacts to the habitat. It is difficult to be precise when using mechanical equipment and unnecessarily leads to the destruction of habitat, even without the intention to do so.
2. Clearing should only involve invasive, non-native species as indicated in Attachment 2. A biologist should be present to assure only invasives are cleared and no native habitat is harmed.
3. The management plan should include a biological survey immediately prior to and post clearance to clearly identify the areas that should be protected and to verify that any clearance is consistent with the preclearance survey.

While the Tentative Permit applies directly only to Reach 25 of the River and is our primary concern, these principles should also be carefully considered in the clearing of tributaries. We recognize the Tentative Order does so in certain instances, such as a requirement for hand clearing in Reach 26.

Reach 25 in Long Beach is one of only three soft-bottom sections of the river, and represents something significantly unique from a biological and recreational perspective. According to their mission, the LACFCD is tasked with not only providing the service of flood control, but protecting the aesthetic, recreational, and environmental use of each area they serve. Continuing to clear the vegetation in this reach is inconsistent with this policy. It is FoLAR's stance that mitigation is not being maximized in Reach 25. We propose the revision of section 35.b, which states that only 4 willow trees will be allowed to grow and mature. There was more vegetation than just the four willow trees, as can be seen in the Biological Technical Assessment Report for the Feasibility Study. Although Bon Terra Consulting has given this recommendation, we do not believe it is the best mitigation that can be done safely. According to Section 25.8 of the Hydraulic Analysis Technical Assessment Report, Bon Terra's recommendation does not affect channel capacity because it is similar to the vegetation levels of the site when it was visited for the study. Using this logic, as long as vegetation levels are similar to those observed on the site visit, then the capacity of the channel should be sufficient.

Hydraulic capacity of these channels was determined with models using Manning's Roughness Coefficients. When taking into account the new vegetation in this reach, the Manning's Roughness Coefficient was not modified, meaning there was no significant effect on the capacity of the channel. The modeling done for this reach did not show that keeping vegetation to pre-clearing levels would result in a higher chance of flooding.

Even considering the absence of this report, the channel capacity has to be sufficient to withstand a 500-year storm event, something which has only a 0.2% chance of happening every year. Allowing the vegetation in this reach to stay at the level of the time of the feasibility study would be negligible to the chance of flooding in one of these events. The LACFCD Policy on Additional Vegetation in LA River Watershed Soft-Bottom Channel Reaches 1, 9, 19-22, and 25 states "the possibility of overflow, even assuming the presence of the recommended vegetation levels, would still be extremely remote. Further, the remote risk of overflow associated with the recommended vegetation levels does not justify forgoing the environmental and other benefits that the recommended vegetation levels are anticipated to provide." Reach 25 has enough hydraulic capacity to allow for more vegetation to persist, and as such, the benefits of the additional vegetation should not be ignored.

Friends of the Los Angeles River by:



Lewis MacAdams, President