



# PUBLIC NOTICE

**U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT**

**BUILDING STRONG®**

**APPLICATION FOR PERMIT  
Wilson Creek Channel Improvements Project**

**Public Notice/Application No.:** SPL-2013-00168-SLP

**Project:** Wilson Creek Channel Improvements

**Comment Period:** October 28, 2014 through November 27, 2014

**Project Manager:** Shannon Pankratz; 213-452-3412; [Shannon.L.Pankratz@usace.army.mil](mailto:Shannon.L.Pankratz@usace.army.mil)

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**Applicant**

San Bernardino County Department of Public Works  
Environmental Management Division  
825 East Third Street  
San Bernardino, California 92415-0835

**Contact**

Nancy Sansonetti  
San Bernardino County Department of Public Works  
Environmental Management Division  
825 East Third Street  
San Bernardino, California 92415-0835

**Location**

The project is located within the city of Yucaipa, San Bernardino County, California (34.033206°N, -117.076585°W). (Figure 1)

**Activity**

The applicant proposes to convert approximately 330 linear feet of the Wilson Creek Channel from an open, partially soft-bottomed trapezoidal channel with ungrouted riprap and earthen side slopes that are reinforced with a combination of rail, cable, wire revetment fencing and corrugated steel to an open, grouted riprap-bottomed trapezoidal channel with drop structures and grouted riprap side slopes (Figures 2-3). In total the proposed project would permanently impact 0.28 acre and temporarily impact 0.34 acre of non-wetland and wetland Waters of the United States (WoUS) for the purpose of providing 100-year flood risk management protection. For more information see page 3 of this notice.

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawings. We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that support the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special conditions, or denied under Section 404 of the Clean Water Act. Comments should be mailed to:

DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION  
ATTN: Shannon Pankratz  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017

Alternatively, comments can be sent electronically to: Shannon.L.Pankratz@usace.army.mil

The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

### **Evaluation Factors**

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

### **Preliminary Review of Selected Factors**

**EIS Determination**- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

**Water Quality**- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

**Coastal Zone Management**- This project is located outside the coastal zone and preliminary review indicates that it would not affect coastal zone resources. After a review of the comments received on this public notice and in consultation with the California Coastal Commission, the Corps will make a final determination of whether this project affects coastal zone resources after review of the comments received on this Public Notice.

**Essential Fish Habitat**- No Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the project area and no EFH is affected by the proposed project.

**Cultural Resources**- San Bernardino County Department of Public Works has submitted a Cultural Resources Survey, dated November 12, 2012. This assessment included a records search and field survey of the project site conducted in May 2009 and October 2012. No cultural resources were identified on the project site through the records search or during the field surveys. The National Register of Historic Places (NHRP) lists no properties within the project boundaries. The Native American Heritage Commission (NAHC) performed a Sacred Land Search within a half-mile radius of the project, and the record search did not indicate the presence of Native American resources in the area that may be impacted by the project. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

**Endangered Species**- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

**Public Hearing**- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

## **Proposed Activity for Which a Permit is Required**

**Basic Project Purpose-** The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material into a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). The basic project purpose for the proposed project is to provide 100-year flood risk management protection. The project is water dependent.

**Overall Project Purpose-** The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose for the proposed project is to provide approximately 100-year flood erosion protection for the Wilson Creek channel reach.

## **Additional Project Information**

**Baseline information-** The project site is located along a segment of the Wilson Creek Channel, between Yucaipa Boulevard to the northeast and 10<sup>th</sup> Street to the southwest. Surrounding land use consists of low to medium density residential housing and moderate to high commercial development. Currently, the channel bottom of this channel segment alternates between earthen soft-bottom substrate and existing grouted rock bottom control structures. The overall shape of the channel is trapezoidal, with the side slope material consisting of a mix of ungrouted riprap and earthen material. The length of the side slopes are reinforced with a combination of rail, cable, wire revetment fencing and corrugated steel. This channel segment and downstream channel areas are experiencing high flow velocities and erosion due to channel gradient and upstream improved channel section areas, including a 1,400 linear foot concrete box culvert situation immediately upstream of Yucaipa Boulevard.

Natural Resources Assessment, Inc. conducted a General Biological Assessment to determine the amount of waters of the United States on the project site (Figure 4). A total of approximately 0.29 acre and 0.33 acre of non-wetland and wetland WoUS, respectively, are located within the project area. The wetland areas within the channel bottom consist of four stands of riparian habitat separated by the existing grouted bottom control areas. Dominant vegetation associated with the four vegetation stands consist of arroyo willow (*Salix lasiolepis*, FACW), mulefat (*Baccharis salicifolia*, FAC), broad-leaved cattails (*Typha latifolia*, OBL), and a mix of Johnson grass (*Sorghum halepense*, FACU), curly dock (*Rumex crispus*, FAC), rabbit's-foot grass (*Polypogon monspeliensis*, FACW) and watercress (*Rorippa nasturtium-aquaticum*, OBL). Nonetheless, there are no shrubs or trees sufficiently large or dense to provide bird nesting habitat, and the existing habitat is of low quality. Moreover, the channel slopes are primarily devoid of any vegetation. The plant communities within this channel segment are affected by storm event flows, with periodic vegetation clearing and sediment deposition from large storm events. This channel segment also receives urban runoff, producing sporadic shallow flows within the channel during summer months.

**Project description-** The proposed project would convert approximately 330 linear feet of the Wilson Creek Channel from an open, partially soft-bottomed trapezoidal channel with ungrouted riprap

and earthen side slopes that are reinforced with a combination of rail, cable, wire revetment fencing and corrugated steel to an open, grouted riprap-bottomed trapezoidal channel with grade break structures and grouted riprap side slopes. The channel side slopes and bottom would be lined with large ½ ton to 1 ton diameter grouted rock. The rock shall be placed in a manner to extend beyond the grout, to increase overall channel roughness and thereby reduce flow velocities. Furthermore, two grade breaks constructed with 1 ton grouted rock would be situated along the channel to further reduce flow velocities and erosion.

Construction of the project is estimated to be completed over a period of 75 working days. The applicant has stated the flood control improvements are designed for 100-year storm events (16,800 cfs) and would reduce/control flow velocities and erosion within both this channel segment and in downstream unimproved channel sections.

The proposed project would permanently impact approximately 0.13 acre and 0.15 acre of non-wetland and wetland WoUS, respectively. The proposed project would also temporarily impact 0.16 acre and 0.18 acre of non-wetland and wetland WoUS, respectively. (Figure 5)

**Proposed Mitigation**— The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is summarized below:

**Avoidance:** The applicant has limited channel improvements to only the channel segment immediately downstream of the 1,400 foot long concrete box culvert, without expanding channel improvements downstream beyond 10<sup>th</sup> Street, and yet still achieve a project design capable of preventing erosion damage and reduction of flow velocities within this and downstream channel segments.

**Minimization:** The applicant has also proposed the following construction-related Best Management Practices (BMPs):

- A breeding bird survey will be conducted to determine if nesting is occurring. Occupied nests will not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nest are foraging independently and are capable independent survival.
- If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within 300 feet of non-raptor nests, and within 500 feet of raptor nests, during the breeding season so as to avoid abandonment of the young.

**Compensation:** To compensate for permanent impacts to riparian and wetland habitat, the applicant proposes to purchase mitigation credits at a 1:1 mitigation ratio from a Corps-approved in-lieu fee program servicing the Santa Ana River watershed.

**Proposed Special Conditions:** No special conditions are proposed at this time.

For additional information please call Shannon Pankratz of my staff at 213-452-3412 or via e-mail at [Shannon.L.Pankratz@usace.army.mil](mailto:Shannon.L.Pankratz@usace.army.mil). This public notice is issued by the Chief, Regulatory Division.



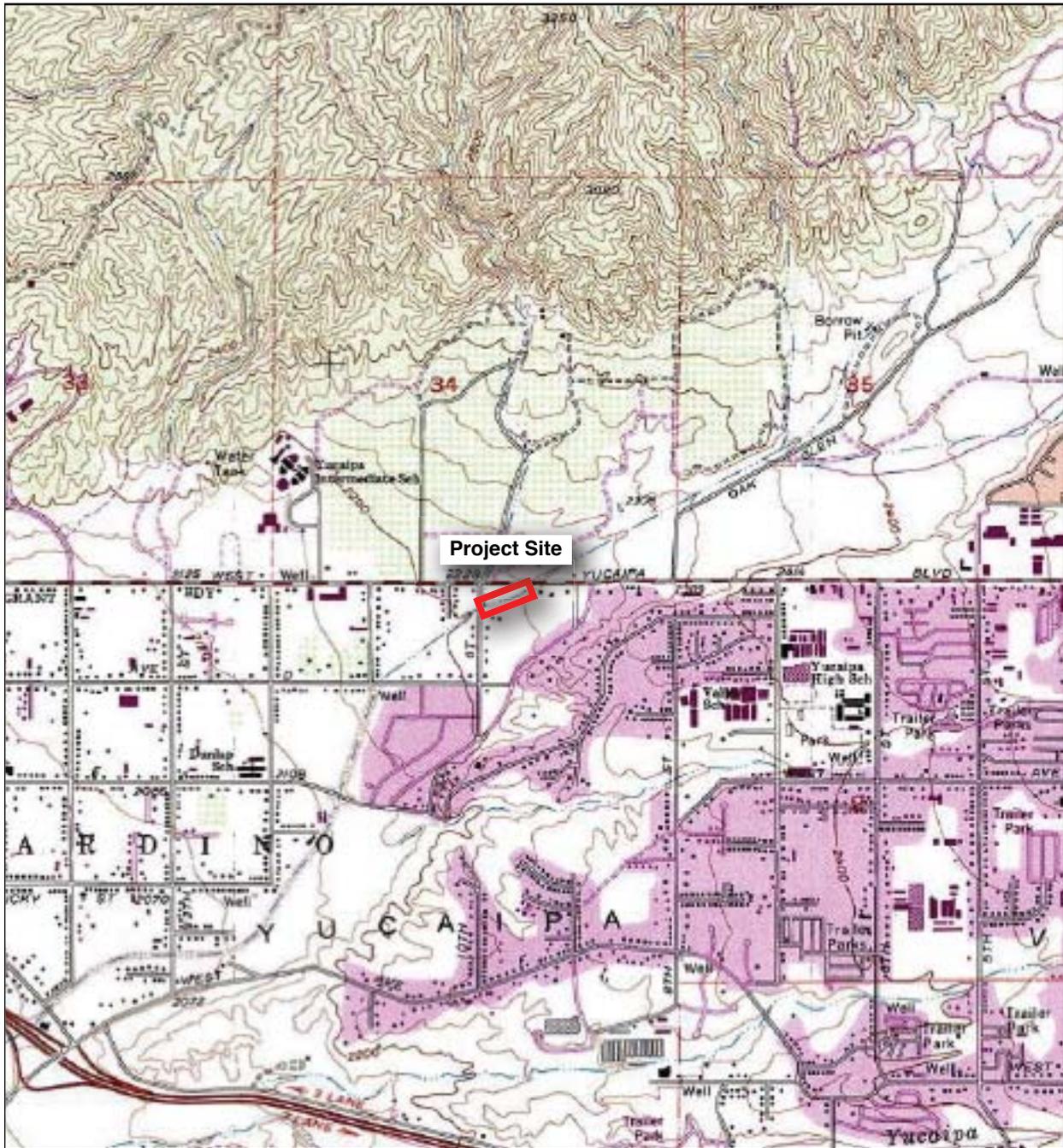
*Regulatory Program Goals:*

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

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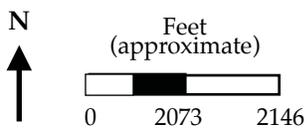
**DEPARTMENT OF THE ARMY**  
**LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS**  
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017

[WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY](http://WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY)

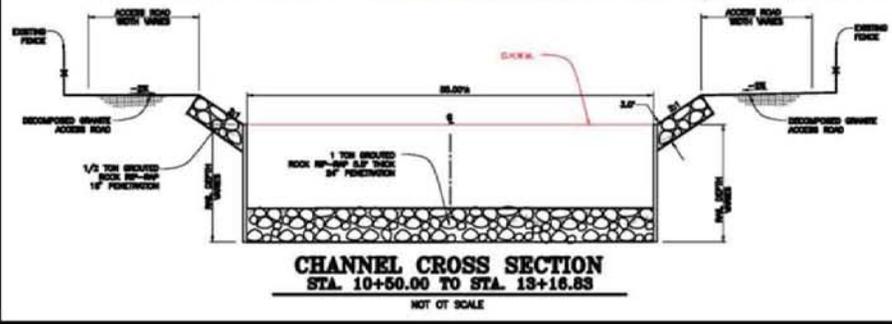


Map Base: Yucaipa (1996) 7.5' USGS topographic quadrangle

Figure 1. Project Location and Site Vicinity



Wilson Creek Improvement  
San Bernardino County Department of Public Works  
Yucaipa, California



**CHANNEL CROSS SECTION**  
 STA. 10+50.00 TO STA. 13+16.83  
 NOT TO SCALE

PERMANENT IMPACT:



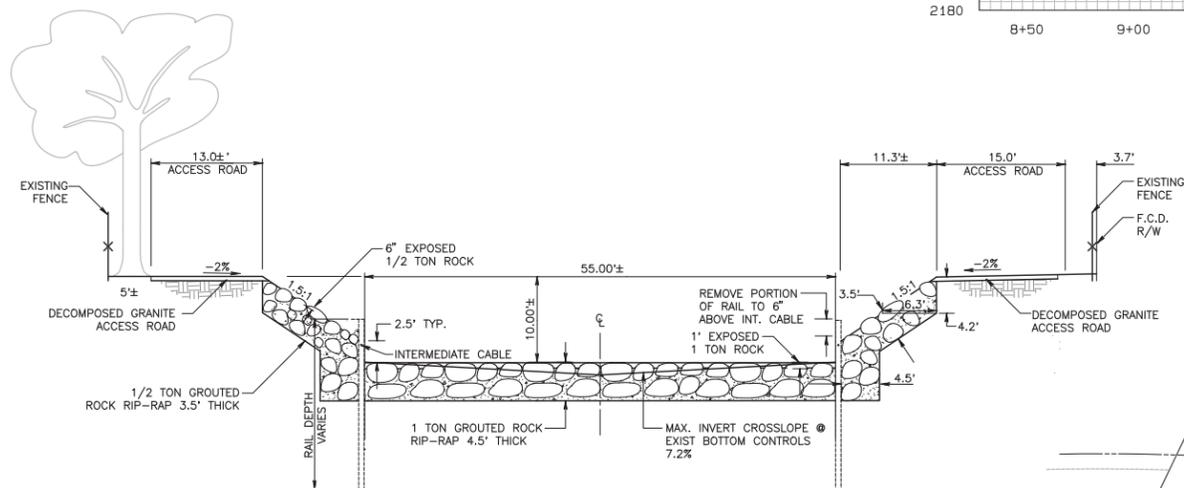
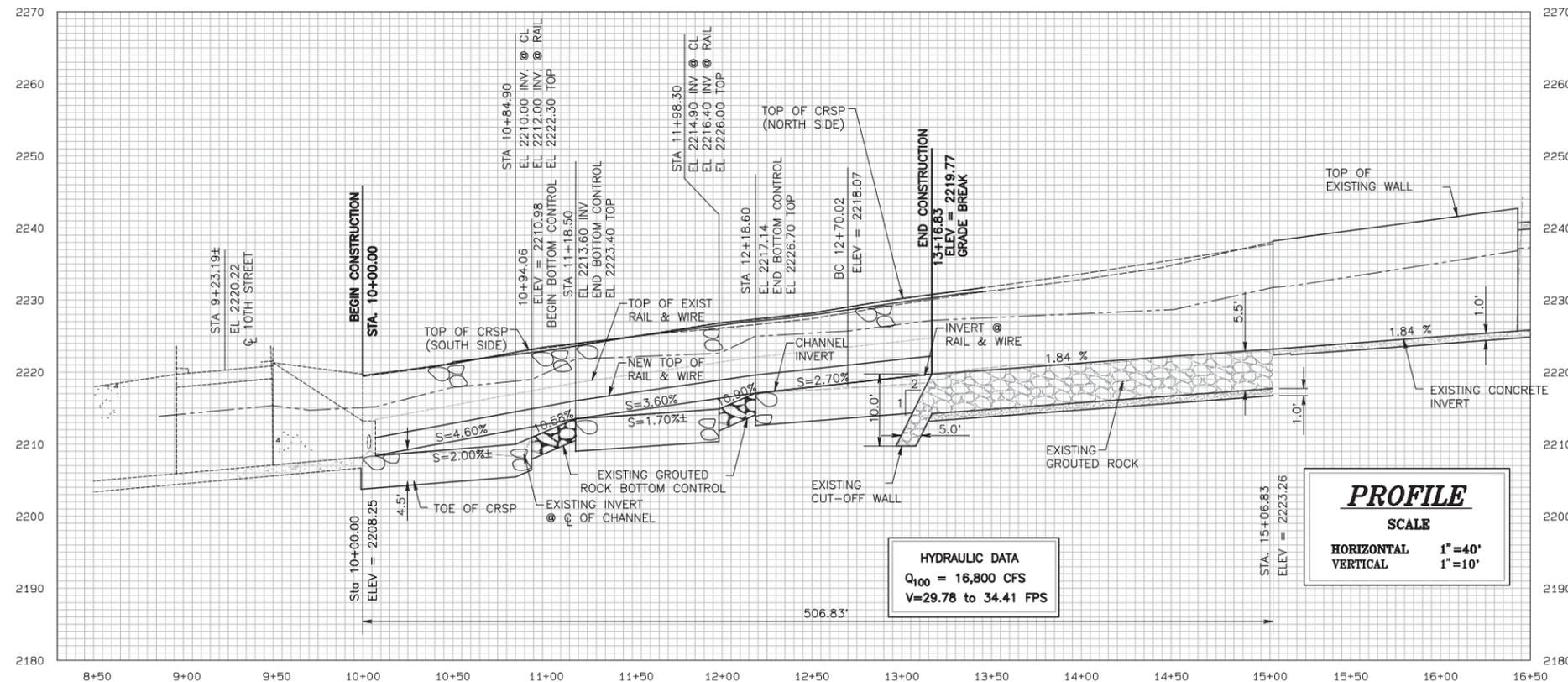
**PRELIMINARY**

	<b>REVISIONS</b> DATE DESCRIPTION BY		<b>SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT</b>		<b>WILSON CREEK SYSTEM</b> <b>WILSON CREEK</b> <b>IMPACT MAP FOR USACE</b>
	DRAWN BY: [ ] CHECKED BY: [ ] DESIGNED BY: [ ] RECOMMENDED BY: [ ]	REVIEWED BY: [ ] PREPARED BY: [ ] APPROVED BY: [ ] RECOMMENDED FOR AUTHORIZATION BY: [ ]	DATE: [ ] SHEET NO.: [ ] OF [ ]	PROJECT NO.: [ ] DRAWING NO.: [ ]	

Figure 2. Engineering plan view.

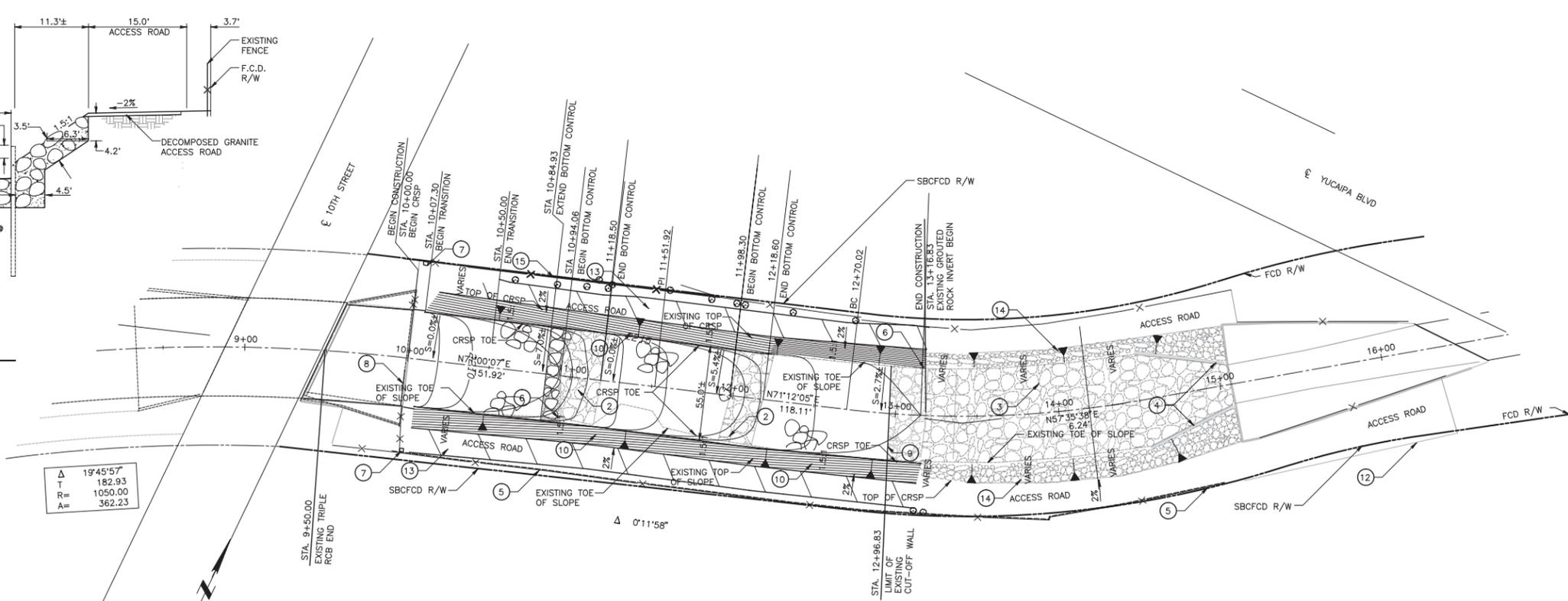
**CONSTRUCTION NOTES:**

- 1 NOT USED
- 2 PROTECT IN PLACE EXISTING RIP-RAP BOTTOM CONTROL.
- 3 PROTECT IN PLACE EXISTING GROUTED ROCK INVERT.
- 4 PROTECT IN PLACE EXISTING CONCRETE CHANNEL WALL AND FOOTING.
- 5 NOT USED
- 6 PROTECT RAILS IN PLACE. CUT RAILS AND METAL BACKING 6" ABOVE INTERMEDIATE WIRE.
- 7 PROTECT IN PLACE EXISTING DRAIN INLET.
- 8 PROTECT IN PLACE EXISTING CONCRETE CUT-OFF WALL.
- 9 PROTECT IN PLACE EXISTING GROUTED ROCK CUT-OFF WALL.
- 10 CONSTRUCT 1/4 TON CRSP 6" EXPOSED ROCK, METHOD "A" PLACEMENT PER PLAN AND PROFILE.
- 11 NOT USED
- 12 PROTECT IN PLACE EXISTING BLOCK WALL.
- 13 CONSTRUCT DECOMPOSED GRANITE ACCESS ROAD (6" THICK)
- 14 PROTECT CRSP IN PLACE.
- 15 INSTALL 6' CHAINLINK FENCE PER SHEET SD-2
- 16 GROUTED 1 TON ROCK 4.5' THICK, 1' EXPOSED.



**CHANNEL CROSS SECTION WITH DEPRESSIONS**  
**STA. 10+50.00 TO STA. 13+16.83**

1" = 10'



**PLAN**

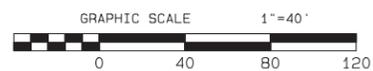
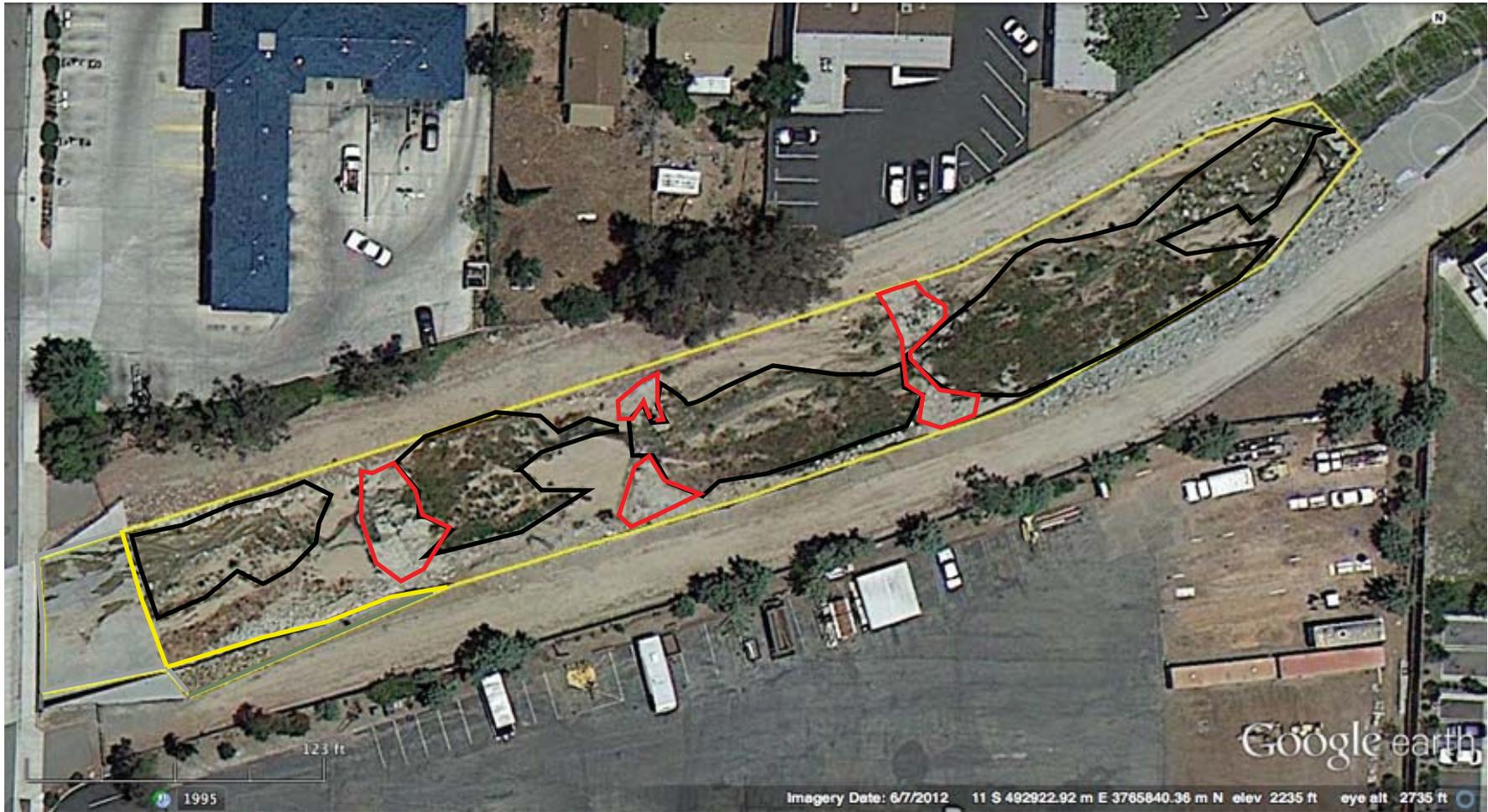


Figure 3. Cross-sectional channel engineering view.

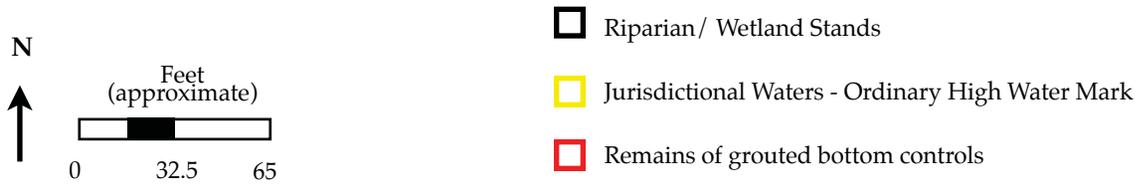
		<b>REVISIONS</b> MARK DATE DESCRIPTION BY:		SUBMITTED BY: LAWRENCE WHITE, P.E. DATE	SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT WILSON CREEK SYSTEM WILSON CREEK PLAN AND PROFILE STA 10+00.00 TO STA 15+06.83	DATE MARCH 2013
		APPROVED BY: KEVIN BLAKESLEE, P.E. FLOOD CONTROL ENGINEER DATE		RECOMMENDED BY: ERWIN FOGERSON, P.E. DATE		SCALE AS SHOWN
GRAPHIC SCALE 1"=40' 0 40 80 120		PROJ. ENGR. LW DESIGNED BY LW/KM REV'D BY KM DRAWN BY KM		FILE NO. 3-601-		SHEET NO. 3 OF 3

S:\F02234-Wilson\_Creek\Active\1%\_sloped\_invert\_July\_2013.dwg



Source: Google Earth 2013

Figure 4. Waters of the U.S. and habitat map



Wilson Creek Improvement  
San Bernardino County Department of Public Works  
Yucaipa, California



Source: Google Earth 2014

N

Feet (approximate)

0 32 64

\*Please note that due to lens distortion, the drawn boundaries do not precisely match the photographic image.

- Permanent Impact Area
- Temporary Impact Area
- Project Boundary

Figure 5. Waters of the U.S. impacts map

Wilson Creek Improvement  
 San Bernardino County Department of Public Works  
 Yucaipa, California