



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT CORPS OF ENGINEERS
915 WILSHIRE BOULEVARD, SUITE 930
ATTN: REGULATORY DIVISION, CESPL-RG
LOS ANGELES, CALIFORNIA 90017

February 26, 2014

Chris Berch
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, California, 91708

DEPARTMENT OF THE ARMY NATIONWIDE PERMIT VERIFICATION

Dear Mr. Berch:

I am responding to your request (SPL-2009-00471-GS) for a Department of the Army permit for your proposed project, Chino Basin Recharge Facilities Operation and Maintenance project. The proposed project is located near the city of Rancho Cucamonga, San Bernardino County, California (map enclosed).

Because this project would result in a discharge of fill material into waters of the United States a Department of the Army permit is required pursuant to Section 404 of the Clean Water Act (33 USC 1344; 33 CFR parts 323 and 330).

I have determined construction of your proposed project, if constructed as described in your application, would comply with Nationwide Permit (NWP) No. 31: *Maintenance of Existing Flood Control Facilities*. Specifically, and as depicted in the enclosed Figures 1-18 and Tables A-B, you are authorized to:

1. Temporarily impact up to 19.3 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Victoria Basin;
2. Temporarily impact up to 24.5 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Upland Basin;
3. Temporarily impact up to 14.6 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Turner Basins 1-2;
4. Temporarily impact up to 47.2 acres of non-wetland waters of the U.S. for the continued operation and maintenance of San Sevaine Basins 1-5;
5. Temporarily impact up to 29.4 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Montclair Basins 1-4;
6. Temporarily impact up to 37.2 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Jurupa Basin;
7. Temporarily impact up to 13.3 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Hickory Basin;

8. Temporarily impact up to 13.8 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Grove Basin;
9. Temporarily impact up to 19.3 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Etiwanda Basin;
10. Temporarily impact up to 28.5 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Ely Basins 1-3;
11. Temporarily impact up to 14.8 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Declez Basin;
12. Temporarily impact up to 7.5 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Brooks Basin;
13. Temporarily impact up to 7.5 acres of non-wetland waters of the U.S. for the continued operation and maintenance of Banana Basin;
14. Temporarily impact up to 21.2 acres of non-wetland waters of the U.S. for the continued operation and maintenance of 8th Street Basins 1-2.

For this NWP verification letter to be valid, you must comply with all of the terms and conditions in Enclosure 1. Furthermore, you must comply with the non-discretionary Special Conditions listed below:

1. The Permittee shall dispose of all excavated material not used for within basin maintenance and repairs outside of waters of the U.S. in uplands, with utilization of proper siltation controls.
2. Within 45 calendar days of completion of authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a post-project implementation memorandum including the following information:
 - A) Date(s) work within waters of the U.S. was initiated and completed;
 - B) Summary of compliance status with each special condition of this permit (including any noncompliance that previously occurred or is currently occurring and corrective actions taken or proposed to achieve compliance);
 - C) Color photographs (including map of photopoints) taken at the project site before and after construction for those aspects directly associated with permanent impacts to waters of the U.S. such that the extent of authorized fills can be verified;
 - D) One copy of "as built" drawings for the entire project. Electronic submittal (Adobe PDF format) is preferred. All sheets must be signed, dated, and to-scale. If submitting paper copies, sheets must be no larger than 11 x 17 inches; and
 - E) Signed Certification of Compliance (attached as part of this permit package).

This verification is valid through March 18, 2017. If on March 18, 2017 you have commenced or are under contract to commence the permitted activity you will have an additional twelve (12) months to complete the activity under the present NWP terms and conditions. However, if I discover noncompliance or unauthorized activities associated with the permitted activity I may request the use of discretionary authority in accordance with procedures in 33

CFR § 330.4(e) and 33 CFR § 330.5(c) or (d) to modify, suspend, or revoke this specific verification at an earlier date. Additionally, at the national level the Chief of Engineers, any time prior to March 18, 2017, may chose to modify, suspend, or revoke the nationwide use of a NWP after following procedures set forth in 33 CFR § 330.5. It is incumbent upon you to comply with all of the terms and conditions of this NWP verification and to remain informed of any change to the NWPs.

A preliminary jurisdictional determination (JD) has been conducted to determine the extent of U.S. Army Corps of Engineers (Corps) geographic jurisdiction, upon which this NWP verification is based. A preliminary JD is advisory in nature and is a written indication Corps geographic jurisdiction may be present on a particular site, but is not appealable. An approved JD is an official Corps determination of the precisely identified limits of Corps geographic jurisdiction on a particular site, and is appealable. Should you wish to appeal an approved JD, you may request an administrative appeal under Corps regulations at 33 C.F.R. Part 331. Please refer to the enclosed Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form for more information.

A NWP does not grant any property rights or exclusive privileges. Additionally, it does not authorize any injury to the property, rights of others, nor does it authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal, state, or local authorizations required by law.

Thank you for participating in the regulatory program. If you have any questions, contact Shannon Pankratz at 213-452-3412 or via e-mail at Shannon.L.Pankratz@usace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

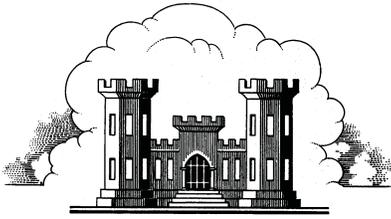
Sincerely,

ROGERS.BONNIE.LYNN.1408403177
NNIE.LYNN.1408403177

Digitally signed by
ROGERS.BONNIE.LYNN.1408403177
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=USA,
cn=ROGERS.BONNIE.LYNN.1408403177
Date: 2014.02.26 11:54:41 -08'00'

Bonnie L. Rogers
Project Manager
L.A. & San Bernardino Section
North Coast Branch
Regulatory Division

Enclosures



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

**CERTIFICATE OF COMPLIANCE WITH
DEPARTMENT OF THE ARMY NATIONWIDE PERMIT**

Permit Number: *SPL-2009-00471-GS*

Name of Permittee: *Chris Berch, Inland Empire Utilities Agency*

Date of Issuance: *February 26, 2014*

Upon completion of the activity authorized by this permit and the mitigation required by this permit, sign this certificate, and return it by **ONE** of the following methods;

1) Email a digital scan of the signed certificate to Shannon.L.Pankratz@usace.army.mil
OR

2) Mail the signed certificate to:

Department of the Army
Los Angeles District, U.S. Army Corps of Engineers
915 Wilshire Boulevard, Suite 930
ATTN: Regulatory Division, CESPL-RG
Los Angeles, California 90017

I hereby certify that the authorized work and any required compensatory mitigation has been completed in accordance with the NWP authorization, including all general, regional, or activity-specific conditions. Furthermore, if credits from a mitigation bank or in-lieu fee program were used to satisfy compensatory mitigation requirements I have attached the documentation required by 33 CFR 332.3(1)(3) to confirm that the appropriate number and resource type of credits have been secured.

Signature of Permittee

Date