



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

August 12, 2014

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

DEPARTMENT OF THE ARMY

Dear Mr. Ignatius:

I am responding to your request (File No. SPL-2014-00469-SLP) dated August 6, 2014, for a Department of the Army Permit to discharge fill material into waters of the U.S., in association with the Birch Creek Emergency Repairs project. The proposed work would take place in Birch Creek within the city of Oak Glen, San Bernardino County, California.

Based on the information you have provided, the U.S. Army Corps of Engineers (Corps) has determined your proposed activity complies with the terms and conditions of Regional General Permit (RGP) No. 63-Emergency Authorizations.

As long as you comply with the general permit conditions of RGP No. 63, an individual permit is not required.

Specifically, you are authorized to conduct the following regulated activities: Temporarily impact up to 0.49 acre of non-wetland waters of the U.S. for the removal of excess sediment and debris within the channel, Oak Glen Road and Potato Creek Road culverts and roadways, as well as the re-establishment of levees and levee roads (as depicted within the enclosed work area figure).

Furthermore, you must comply with the following non-discretionary Special Conditions:

1. The work authorized by this RGP must be underway no later than 14 calendar days from date of issuance of this letter of verification. All work must be completed no later than August 29, 2014. If the Permittee is unable to complete the authorized work by this date, the Permittee must request, in writing, an extension from the Corps Regulatory Division prior to the deadline.
2. As directed in Regional General Permit (RGP) No. 63, any work authorized by this RGP must be the minimum necessary to alleviate the immediate emergency, unless complete reconstruction does not result in significantly increased impacts to aquatic resources and logistical concerns indicate such reconstruction is as expedient considering the condition of the project site and is limited to in-kind replacement or refurbishment.

3. As directed in Regional General Permit (RGP) No. 63, you shall provide a written report to this office (within 45 days of completing the project) after completion of any action conducted under this RGP. PROVIDING THIS REPORT IS MANDATORY. At a minimum the Report shall include the following:

- A) The name, address, and telephone number of the applicant and the applicant's agent (if appropriate)
- B) Full description of the activity including:
 - i) description of the emergency and the potential for loss of life or property
 - ii) purpose of the activity
 - iii) final goal of the entire activity
 - iv) location (e.g., latitude/longitude or UTM coordinates; section/township/range on appropriate USGS topographic map; Thomas Guide map, or other source to accurately portray project location)
 - v) size and description of project area (include maps or drawings showing the areal and lineal extent of the project, and pre- and post-construction photographs)
 - vi) quantities of materials used
- C) information on receiving waterbody impacted including:
 - i) name of waterbody
 - ii) type of receiving waterbody (e.g., river/streambed, lake/reservoir, ocean/estuary/bay, riparian area, wetland type, etc.)
 - iii) temporary/permanent adverse impact(s) in acres/cubic yards/linear feet
 - iv) compensatory mitigation in acres/cubic yards/linear feet
 - v) other mitigation steps (to avoid, minimize, compensate)
- D) information on federally listed or proposed endangered species or designated or proposed critical habitat (notification must be provided to FWS and/or NMFS as appropriate) including:
 - i) temporary/permanent adverse impacts
 - ii) compensatory mitigation
 - iii) other mitigation steps (to avoid, minimize, compensate)

A general permit does not grant any property rights or exclusive privileges. Also, it does not authorize any injury to the property or rights of others or 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,

SWENSON.DANIEL.PA
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Daniel P. Swenson, D. Env
Chief, Los Angeles & San Bernardino Section
North Coast Branch
Regulatory Division

Enclosures