



# PUBLIC NOTICE

Centinela Creek Channel Mesmer Avenue Low Flow Diversion

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

**BUILDING STRONG®**

**Public Notice No.:** SPL-408-PN-2019-0028

**Permit No.:** SPL-408-2019-0028

**Comment Period:** 2019-09-27 to 2019-10-28

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**Requester:** In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, the City of Culver City, through the Los Angeles County Flood Control District (LACFCD), has requested permission from the U.S. Army Corps of Engineers (USACE) to alter the Centinela Creek Channel.

**Location:**

The proposed action would divert dry-weather flows from Centinela Creek to the existing Mesmer Sewer Pump Station in the City of Culver City, Los Angeles County, California. The proposed features are in-river, which will require construction within the channel.

**Requester's Proposed Action:**

The City of Culver City is proposing to divert dry-weather flows from Centinela Creek to the existing Mesmer Sewer Pump Station by constructing a grate inlet on the northerly side of the channel, a new concrete berm upstream of the grate inlet, and a 12" PVC pipe to divert flows to a new wet well located in the maintenance road. The 12" PVC pipe will be installed using trenchless technology methods (horizontal directional drilling or micro tunneling). The flows will eventually be pumped to an existing wet well located in Culver City's pump station via a 6" ductile iron pipe. The purpose of the project is to comply with the final Water Quality Based Effluent Limitations (WQBELs) during dry-weather, as specified by the Ballona Creek Bacteria Total Maximum Daily Load (TMDL), and is consistent with the Time Schedule Order (TSO) issued by the Los Angeles Regional Water Quality Control Board (Regional Board) on May 14, 2015.

**Authority:** The authority to grant permission for temporary or permanent use, occupation or alteration of any USACE Civil Works project is contained in Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 USC 408 ("Section 408"). Section 408 authorizes the Secretary of the Army, on the recommendation of the Chief of Engineers, to grant permission for the alteration or occupation or use of a USACE project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. The Secretary of Army's authority under Section 408 has been delegated to the USACE, the Chief of Engineers. The Chief of Engineers has further delegated the authority to the USACE, Directorate of Civil Works and Division and District Engineers, depending upon the nature of the activity.

**Limits of Section 408 Authority:** A requester has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 404 of the Clean Water Act (33 USC Section 1344), and/or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413). The compliance determination for any Section 10/404/103 permit decision associated with the proposed alteration will also address the Section 408 compliance determination. In addition, an approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

**Consideration of Comments:** The Corps is soliciting comments from the public, Federal, State and local agencies and officials, and other interested parties. Comments will be made part of the record, and they will be considered before permission is granted to proceed with this action. Please limit comments to the area of the alteration and those adjacent areas that would be directly or indirectly affected by the alteration described in this public notice.

**Submission of Comments:** Interested parties may submit, in writing, any comments concerning this proposal. Comments should reference public notice no. SPL-408-PN-2019-0028 and be forwarded by the comment due date of October 28, 2019. Comments must be sent to the U.S. Army Corps of Engineers, Los Angeles District, Engineering Division, ATTN: Priyo Majumdar, 915 Wilshire Boulevard, Suite 930, Los Angeles, California 90017-3409. Alternatively, comments can be sent electronically to [Priyodarshi.Majumdar@usace.army.mil](mailto:Priyodarshi.Majumdar@usace.army.mil).

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**DEPARTMENT OF THE ARMY**  
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[WWW.SPL.USACE.ARMY.MIL/MISSIONS/SECTION-408-PERMITS/](http://WWW.SPL.USACE.ARMY.MIL/MISSIONS/SECTION-408-PERMITS/)