



# PUBLIC NOTICE

City Creek Levee – attach water pipeline to Alabama Street Bridge

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

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**Public Notice No.:** SPL-408-PN-2020-0004

**Permit No.:** SPL-408-2020-0004

**Comment Period:** 2020-01-07 to 2020-02-06

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**Requester:** In compliance with U.S.C. Title 33, Chapter 9, Subchapter 1, Section 408, the San Bernardino Valley Municipal Water District (SBVMWD) through the San Bernardino County Flood Control District (SBCFCD) has requested permission from the U.S. Army Corps of Engineers (USACE) to alter the City Creek Levee.

**Location:**

The proposed action would attach a water pipeline to the Alabama Street Bridge over City Creek in the city of Highland, San Bernardino County, California. The proposed features are not inside the channel, and will therefore not require construction within the channel.

**Requester's Proposed Action:**

The SBVMWD is proposing to install, operate and maintain approximately 350 linear feet of a 30 inch diameter cement mortar lined and coated (CML&C) recycled water pipeline to be attached to the Alabama Street Bridge over City Creek. The pipeline would be attached to the west side of the City Creek levee via a steel support structure mounted to the exterior of the existing levee. A moving crane would be utilized to suspend crew members over the creek while mounting the support structure to the side of the levee and attaching the pipeline to the support structure. All staging areas will be within existing street right of way, and outside of jurisdictional waters. Staging for short term pipe laydown would include a small area located northwest of the bridge structure and within existing street right of way. A second staging area will be located at the Redlands Basin where all equipment, machinery and materials would be stored. No ground disturbing or dredge/fill activities would be required within the creek. The purpose of the project is to enable a new water treatment facility to convey its treated effluent in order to meet water demands, increase the use of recycled water, increase groundwater replenishment, and increase the operational flexibility of local water supply.

**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). 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-2020-0004 and be forwarded by the comment due date of February 6, 2020. 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/)