



PUBLIC NOTICE

San Antonio Channel – Construct a private side drain connection.

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

BUILDING STRONG®

Public Notice No.: 408-SPL-PN-2020-0025

Permit No.: 408-SPL-2020-0025

Comment Period: 2021-09-14 to 2021-10-13

Requester: In compliance with Section 14 of the Rivers and Harbors Act of 1899, as amended, codified at 33 USC 408 (“Section 408”), Covenant Transport Inc., through the San Bernardino County Flood Control District (SBCFCD), has requested permission from the U.S. Army Corps of Engineers (USACE) to alter the San Antonio Channel.

Location:

The proposed action would construct a private side drain connection to the San Antonio Channel in the City of Chino, 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 proposed project involves the construction of approximately 40 linear feet of 24-inch diameter reinforced concrete pipe (RCP) side drain from the Covenant Transport, Inc. property to directly outlet to the adjacent San Antonio Creek Channel to the east.

The pipe invert will be placed approximately 6 feet above the channel invert. Construction activities will include cutting a small amount of pavement on the existing Covenant Transport site, and trenching the adjacent dirt area approximately 40 feet long by 4 feet wide by approximately 5 feet deep along the adjacent slope for pipe installation. The concrete portion of the channel will be partially drilled from the back (land side) using a special bit that will be attached to an excavator. The front portion of the channel (water side), which is exposed to the channel invert, will be drilled using hand tools utilizing scaffolding from the top of the channel. Following installation of the pipe and connection, the trench will be backfilled with the material previously excavated and recompacted, and the existing pavement will be repaired as required.

The purpose of the project is to address overflow from the current storm drain system which overtops an existing curb and drains easterly down the earthen slope within the channel right of way, before discharging into the San Antonio Channel. The proposed side drain connection is needed to minimize this overtopping issue.

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.

Environmental Compliance: A decision on a Section 408 request is a federal action, and therefore, subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. While USACE is responsible for ensuring environmental compliance, the requester is responsible for providing all information that the Los Angeles District identifies as necessary to satisfy all applicable federal laws, executive orders, regulations, policies, and procedures. NEPA and other analysis completed to comply with other environmental statutes (e.g., Endangered Species Act) should be commensurate with the scale and potential effects of the activity that would alter the USACE project. The Los Angeles District will work with the requester to determine the requirements, which will be scaled to the likely impacts of the proposed alteration and should convey the relevant considerations and impacts in a concise and effective manner. Comments received on this public notice will be used in the evaluation.

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. 408-SPL-PN-2020-0025 and be forwarded by the comment due date of October 13, 2021. 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.

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS

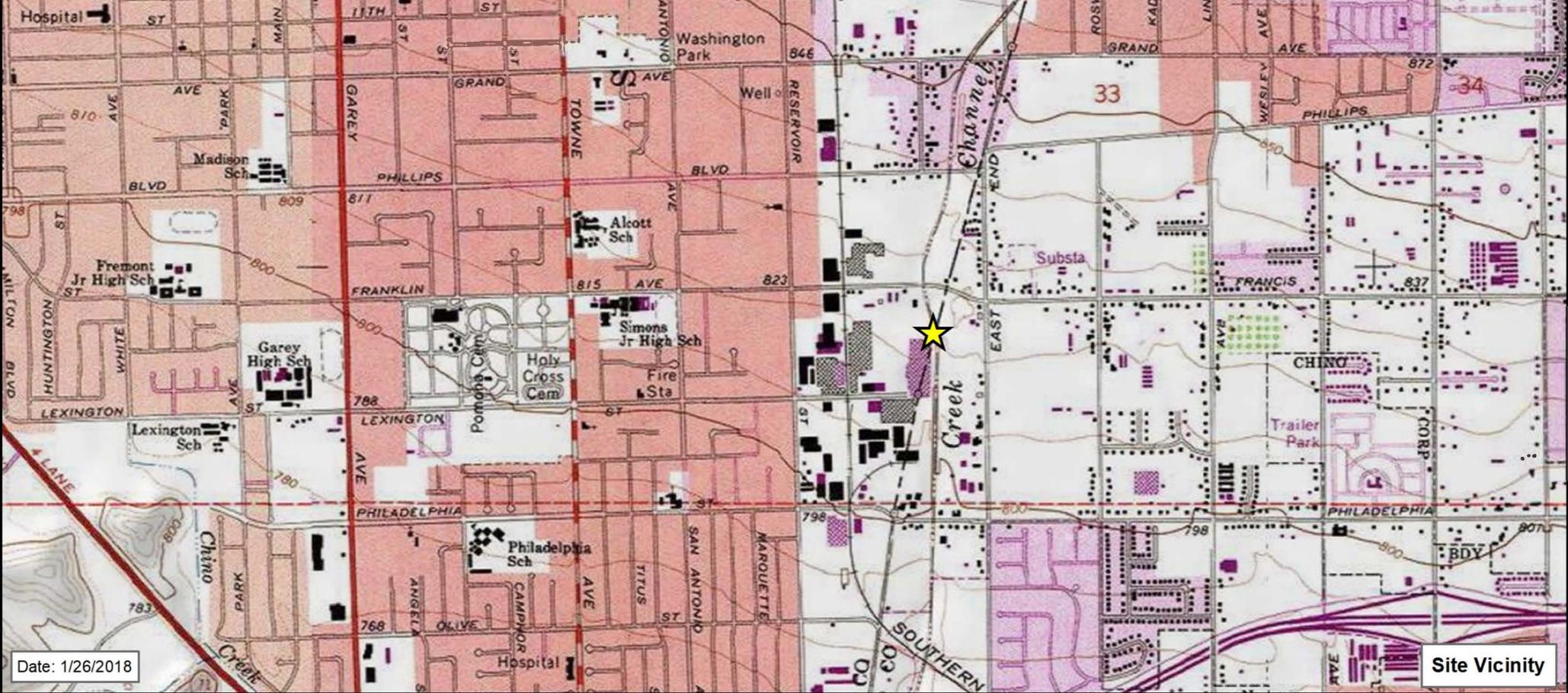
Los Angeles District, Corps of Engineers
915 Wilshire Boulevard, Suite 930, Los Angeles, California 90017-3401

WWW.SPL.USACE.ARMY.MIL/MISSIONS/SECTION-408-PERMITS/

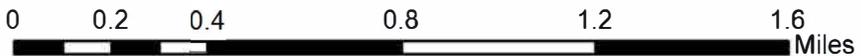


Legend

★ Site Location



Date: 1/26/2018



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Figure 1 - Regional Overview Site Vicinity

24-Inch RCP Side Drain Connection
San Antonio Channel
Covenant Transport