



Public Notice

Public Notice Number: 199400928

Date: October 9, 2003

Comments Due: November 9, 2003

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

In reply, please refer to the Public Notice Number

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to discharge dredged or fill material into waters of the United States to construct a residential subdivision and associated infrastructure.

APPLICANT: Reed Onate
Western Pacific Housing
1210 Central Boulevard
Brentwood, California 94513

LOCATION: The proposed 60-acre Ravenswood project site is located Section 26, Township 1 North, Range 3 East, MDB&M, near Discovery Bay, Contra Costa County, California.

PURPOSE: To develop a residential subdivision and associated infrastructure.

PROJECT DESCRIPTION: The applicant proposes to build a residential subdivision including 220 homes, a 3-acre neighborhood park and associated infrastructure as shown in the attached drawings. The proposed project would fill 0.55 acres of jurisdictional wetlands, including 0.24 acres of habitat for the Federally-listed vernal pool fairy shrimp (*Branchinecta lynchi*). The proposed project would include onsite wetland mitigation and preservation area at the south end of the site. The applicant's proposed mitigation plan would establish a 5.2 acre on-site conservation area consisting of 0.91 acres of preserved alkali seasonal wetlands, 1.28 acres of created alkali seasonal wetlands and 1.78 acres of enhanced and created alkali grassland and scrub. Additionally, 1.23 acres of stormwater treatment swales and two water quality basins are proposed to pre-treat low flow storm water before it would flow through the created and preserved wetlands and exit through the final water quality basin and into Kellogg Creek/Discovery Bay Slough.

AREA DESCRIPTION: The site is located near Discovery Bay, a half-mile east of Bixler Road, with Point of Timber Road along the north edge. The 60-acre site is partially leveled, formerly irrigated pasture dominated by salt-tolerant grasses and iodine bush (*Allenrolfea occidentalis*). Seasonal wetlands totaling 1.45 acres occur in the southern half of the site. A 0.02 acre section of Kellogg Creek/Discovery Bay Slough, with open water, cattails, tules and water iris, is located in and along the southeast corner of the site. Several unused residences, trailers and farm buildings are present on the northern end of the site. The property immediately east and northeast of the site is leveled pasture that is no longer irrigated. Areas just north, west and south of the site are being developed for new residential subdivisions.

ADDITIONAL INFORMATION: The applicant's agent has stated an archaeological review by Holman and Associates indicates no cultural resources are present within the area of potential effect.

The following federally listed threatened or endangered species may be affected by the project: Central Valley spring run chinook salmon (*Oncorhynchus tshawytscha*), Sacramento River winter run chinook salmon (*Oncorhynchus tshawytscha*), Central Valley steelhead (*Oncorhynchus mykiss*) and fairy shrimp (*Branchinecta lynchi*). The Corps initiated consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service, under Section 7 of the Endangered Species Act, for these species on September 23, 2003.

The District Engineer has made these determinations based on information provided by the applicant.

Interested parties are invited to submit written comments on or before **November 9, 2003**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act.

Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact the applicant's agent Sean Micallef, telephone 510-622-8110, or William Guthrie, at the letterhead address, telephone 916-557-5269.

Mark W. Connelly
Lieutenant Colonel,
Corps of Engineers
Acting District Engineer

Attachments: 4 Drawings