



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 199800456

Date: April 2, 2002

Comments Due: May 2, 2002

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to fill 2.77 acres of waters of the United States for the construction of a new high school as shown in the attached drawings.

APPLICANT: Minarets Joint Union High School District (District)
Attn: Mr. Robert Owen
P.O. Box 4000
North Fork, California 93643

LOCATION: The proposed Minarets High School project is located in Sections 19 and 30, Township 9 South, Range 21 East, MDB&M, Madera, California. This location is near the intersection of State Route Highway 41 and Road 200. Please see the attached drawings for the exact location.

PURPOSE: The purpose of the project is to provide a regional high school for students within the District.

PROJECT DESCRIPTION: The proposed project involves the construction of a high school for 1,200 students. This facility will include the classrooms, assorted game fields, parking lots, a water supply system comprised of wells, a treatment facility, distribution mains, two stormwater detention basins, and storage ponds. The applicant proposes to develop, operate, and maintain a wastewater system including using reclaimed water for irrigation of landscape areas and play fields.

This proposed project will be designed to provided enrollment of 1,200 students for grades 9-12. The project is proposed to be developed in two phases. Phase one is scheduled to open in 2003-2004 school year for 600 students, and phase two would be completed when warranted by enrollment growth within the District.

AREA DESCRIPTION: This site is located at approximately 1,400 feet NGVD in the Sierra foothills. The habitat type of the project site consists of blue oak and interior live oak woodland with seasonal wetlands. The seasonal wetlands are associated with springs, swales and seep zones along seasonal creeks. More than 23.05 acres of waters of the United States currently exist on the project site. A wetland delineation has not been prepared for the entire project site; however, the impact area for the footprint of the high school has been delineated and verified by the Corps of Engineers.

ADDITIONAL INFORMATION: The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected. Presently unknown cultural resources may be located in the permit area. Elderberry bushes, *Sambucus mexicana*, the host plant for the federally listed as threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) are present on the property. The applicant proposes to impact eight elderberry bushes. Additional special status species potentially occurring in the area include western pond turtle (*Clemmys marmorata*) and bald eagle (*Haliaeetus leucocephalus*). The project site has 5 vernal pools on the property that will be indirectly impacted by the proposed project. Vernal pools have been identified as habitat for listed species including vernal pool fairy shrimp (*Branchinecta lynchi*) and tadpole shrimp (*Lepidurus packardii*).

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **May 2, 2002**. 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 Dave Haresveldt of Live Oak Associates, at 559-642-4880 for the applicant, or Kathy Norton, of our office at the letterhead address, telephone 916-557-5260, or e-mail kathleen.m.norton@usace.army.mil.

Michael J. Conrad, Jr.
Colonel, Corps of Engineers
District Engineer

Enclosures: Drawings (5)