



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 199950583
Date: October 18, 2001
Comments Due: November 16, 2001

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 and for water quality certification under Section 401 of the Clean Water Act to impact 0.68 acres of wetlands to construct a multifamily housing unit as shown in the attached drawings.

APPLICANT: John Dester
Georgetown Development
Building 7G
2230 North University Parkway
Provo, Utah 84604

LOCATION: The Art City Park project site consists of approximately 27 acres and is located at 700 North Main Street in Section 28, Township 7 South, Range 3 East in Springville City, Utah County, Utah.

PURPOSE: To build a multifamily housing development.

PROJECT DESCRIPTION: The project consists of placing fill in approximately 0.68 acres of wetlands to construct homes and associated roadways and parking areas. A detention pond for the development will also be excavated in an upland location within the project area. Stormwater flow from the development will pass through an oil-water separator prior to entering the detention pond. A second oil-water separator will be installed for water leaving the detention pond.

AREA DESCRIPTION: The wetlands consist of marsh, wet meadow, riparian (occurring in and along a small stream), and forested wetland (overstory of Russian Olive). A total of 4.11 acres of jurisdictional wetlands occur on the 27-acre parcel. The project site is relatively flat, with a majority of the area being upland pasture. There is also a drive-in theater on the project site, which is all gravel. The most extensive wetland areas occur in the northern portion of the site adjacent to the Utah Division of Wildlife Resources Springville Wildlife

Management Area. This area contains marsh, wet meadow, and forested wetland areas. The southern end of the project site has a couple of small stream channels with associated riverine wetland areas.

ADDITIONAL INFORMATION: The applicant proposes to mitigate onsite by creating 0.74 acres of wetlands from existing upland areas adjacent to the existing wetlands. The created wetlands will be adjacent to the existing wetlands on the north side of the property. This area is adjacent to the Utah Division of Wildlife Resources Fish Hatchery. The created wetlands will have the same functional values and plant communities as associated with the impacted wetlands. The wetlands will be fenced to reduce human impacts and to prevent domestic predators from entering the mitigation area. A berm will be constructed to prevent pollutants from flowing into the created wetlands and a tree-and-shrub buffer will be planted using native species. A conservation easement will be placed on the mitigation site north of the proposed fence and deed restrictions will be recorded with the county.

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.

This activity would not affect any threatened or endangered species or their critical habitat. The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Certification for this project, according to Section 401 of the Clean Water Act, has been requested from the Utah Division of Water Quality. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity, and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Utah Division of Water Quality, 288 North 1460 West, P. O. Box 144870, Salt Lake City, Utah 84114-4870, on or before **November 16, 2001**.

Interested parties are invited to submit written comments on or before **November 16, 2001**. 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 John Dester with Georgetown Development, telephone (801) 375-0502, or Mr. Shawn Zinszer, of the Utah Regulatory Office, telephone (801) 295-8380 ext. 16, or email szinszer@spk.usace.army.mil.

Written comments should reference Public Notice No. 199950583 and should be mailed to the U.S. Army Corps of Engineers, Utah Regulatory Office, ATTN: Shawn Zinszer, 533 West 2600 South, Suite 150, Bountiful, Utah 84010. Comments are due November 16, 2001.

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

Enclosures: 2 Drawings