



US Army Corps  
of Engineers  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: 200000431

Date: July 26, 2001

Comments Due: August 25, 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 to place dredged or fill material in Clover Creek and adjacent wetlands as part of the Clover Creek Flood Protection and Environmental Enhancement project, as shown in the attached drawings.

**APPLICANT:** Phil Terry  
City of Redding  
777 Cypress Avenue  
Redding, CA 96001

**LOCATION:** The project site is approximately 5 miles east of downtown Redding, California. The site is bounded by Shasta View Drive (incomplete) on the west, Forest Hills Estates on the north, undeveloped land and Airport Road on the east and Highland Oaks development and rural development to the south. The site corresponds to a portion of Section 9, Township 31 North, Range 4 West of the "Enterprise, California" 7.5 minute quadrangle (U.S. Department of the Interior, Geological Survey 1969). (Figure 1 – *Project Site and Vicinity*).

**PROJECT DESCRIPTION:** The applicant has stated that the project is proposed to serve the flood protection needs of the residents downstream of the project whose properties currently lie within the 100-year floodplain, as well as provide environmental enhancement and recreational opportunities for the residents of Redding. The project would result in the loss of 1.56 acres of seasonal creek, 0.05 acre of intermittent drainage, 1.12 acre of vernal pool, 3.16 acre of seasonal wetland, 1.05 acre of seasonal wetland drainage, and 1.00 acre of freshwater marsh. The project includes creation of an approximately 45±acre detention basin/flood plain area. This basin would contain 7.78 acres of seasonal wetlands, 3.61 acres of perennial emergent marsh, 1.06 acres of seasonal emergent marsh, 6.79 acres of pond/open water, 0.07 acre of vernal pool, 1.07 acres of willow riparian habitat, and 14.90 acres of Valley oak woodland. The basin will provide approximately 360 acre-feet of storage capacity for high-flow storm events.

The project also includes the construction of a parking lot, bike paths, and walking trails, and pad for a caretaker dwelling. A portion of the excavated material will be used to construct a subgrade for Shasta View Drive on the west and an east/west collector roadway extension. Water from the

detention basin will outfall into a 60" reinforced concrete pipe that will extend south of the project site along Goodwater Avenue (which parallels Clover Creek), ultimately discharging approximately 3,800 feet downstream. This is proposed to regulate flows into Clover Creek at a location where sufficient creek channel capacity exists to carry such flows. To continue to feed flows into the existing Clover Creek channel between the detention basin and the Goodwater Avenue outfall downstream, an existing 42" storm drain will be extended east from Venus Way to the east side of the proposed Shasta View Drive, just south of the proposed east/west connector road. The storm drain will discharge at that point into a vegetated swale that will run along the southern boundary of the collector road, turning south and finally discharging into the existing Clover Creek channel at the southern boundary of the project site. The maximum discharge capacity will be approximately 20 cfs into the existing Clover Creek channel.

Construction of the basin will entail the excavation of approximately 720,000 cubic yards of soil over the 45±acre detention basin area. Approximately 375,000 cubic yards will be delivered to as yet unknown off-site locations. To reduce the costs incurred from hauling soil off-site, the remainder will be used on-site to create a substrate for the future Shasta View Drive extension, a pad for a future electrical substation (previously planned for in the City of Redding General Plan), as well as to create undulating topography in the blue oak savannah area, and broad, flat meadows within the grassland meadows areas.

The City of Redding indicates they will maintain 48.70 acres of blue oak woodland (including 1.33 acres of scattered vernal pools and 0.24 acre of seasonal wetlands), 7.00 acres of blue oak savannah, and 23.05 acres of grassland meadow are proposed. The City of Redding anticipates that funding may become available in the future to convert the grassland meadow area to open fields that could serve as multi-use fields for soccer or youth baseball. The City proposes to maintain the area in a natural state until that time.

**AREA DESCRIPTION:** The project site is at an elevation of approximately 520 feet above mean sea level and includes a total of 8.47 acres of waters, including wetlands. The site is comprised of annual grassland, oak savanna, oak woodland, and wetlands habitats such as vernal pools, freshwater marsh, and seasonal wetlands. Paved streets, utilities, and building pads are located in the southwestern corner of the site. Clover Creek, a tributary to the Sacramento River, flows from north to south and roughly bisects the property. Several man-made ditches exist on the property and generally flow west to east.

**ADDITIONAL INFORMATION:** A CEQA notice of determination (SCH No. 2000062098) has been filed by the City of Redding. The city has not yet applied for a California Department of Fish and Game streambed alteration agreement or certification under Section 401 of the Clean Water Act from the Central Valley Regional Water Quality Control Board.

The site contains vernal pools and seasonal wetlands (Figure 3 - *Wetland Delineation*), which represent potential habitat for federally-listed vernal pool invertebrates protected by the Endangered Species Act (16 USC §1531 et seq.), the applicant conducted presence/absence surveys in accordance with protocol set forth by the U.S. Fish and Wildlife Service. These surveys included one dry season and one wet season survey. The wetland season surveys which occurred during the summer of 2000, resulted in the finding of a cyst that belonged to the genus, *Branchinecta*, in one vernal pool in the north central portion of the project site.

The subsequent wet season surveys (2000-2001) found adults of the federally-listed species *Branchinecta lynchi* in the same vernal pool. No other federally-listed vernal pool invertebrate species were found to occur on-site. The applicant proposes to preserve the pool in question.

Vernal pools and seasonal wetlands on the site may potentially provide habitat for the federally listed slender Orcutt grass (*Orcuttia tenuis*) and bald eagles (*Haliaeetus leucocephalus*) may frequent the site. The applicant has not conducted any surveys which indicate the presence or absence of either of these species.

The National Marine Fisheries Service (NMFS) was contacted by the applicant to determine if any federally-listed fish species would be impacted as a result of the project. On December 28, 1999, Mr. Mike Aceituno, NMFS Central Valley Team Leader, responded that due to the location of the project, federally-listed fish species and their designated critical habitat are not likely to be impacted by the proposed project and associated activities.

Based on the information provided, the Corps of Engineers has determined that the proposed project may affect certain federally-listed threatened or endangered species. Therefore, Section 7 consultation, pursuant to the Endangered Species Act, will need to be completed before a permit can be issued. The Corps of Engineers will initiate Section 7 consultation upon the receipt of additional information from the applicant.

A cultural resource evaluation was performed by the applicant in June 2000 pursuant to those requirements set forth in Section 106 of the National Historic Preservation Act. The evaluation included a review of documents and literature provided by the North Central Information Center, as well as field archaeological reconnaissance for cultural resources using a combination of surface inspection, stream bank examination, and landform analysis. The tract was previously surveyed in 1977 and 1984. Based on the available information no archaeological sites, standing structures, cultural resource areas, or historic properties are currently recorded within the project site. No objectives, structures, buildings, or properties eligible for listing on the National Register of Historic Places are in the project area. In addition, the applicant initiated consultation with Native Americans, resulting in no identification of any traditional cultural property concerns.

The applicant proposes to mitigate for wetland impacts through a combination of on-site creation and off-site purchase at an agency-approved off-site mitigation bank to achieve "no net loss" of functions and values. Should it be determined that the project would affect listed branchiopods, the applicant would propose off-site purchase of vernal pool preservation credits at an agency-approved off-site mitigation bank pursuant to the ratios outlined in the *Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans Within the Jurisdiction of the Sacramento Field Office, California (February 28, 1996)*. The applicant proposes to mitigate for all other wetlands impacts through the creation of on-site habitat. The Conceptual Design currently includes the creation of wetland, willow riparian, oak woodland, pond/open water, Valley oak woodland and grassland meadow habitats. Creation of wetland habitat includes 8.02 acres of seasonal wetland, 1.40 acres of vernal pool, 1.07 acres of seasonal emergent marsh, and 3.61 acres of perennial emergent marsh. Created wetlands will be located inside and outside the proposed basin. A small amount of the vernal pools (approximately 0.07 acre) is proposed within the basin and would be experimental

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

Interested parties are invited to submit written comments on or before **August 25, 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 the applicant's agent, Hal Freeman at telephone (916) 782-9100, or William Ness, at the letterhead address, telephone (916) 557-5268.

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

Enclosures: 3 Drawings