



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200000460

Date: August 28, 2001

Comments Due: September 27, 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 discharge fill material into waters of the United States, to construct a residential subdivision, as shown in the attached drawings.

APPLICANT: Hignell Development Group
1500 Humboldt Road
Chico, California 95928

LOCATION: The Husa Ranch project site is located in southeastern Chico (Sheet 1). The project is located West of Bruce Road approximately 0.25 mile North of the intersection of Bruce Road and State Highway 32. The site is within the U.S.G.S. Chico 7.5' quadrangle and includes portion of Section 19, Township 22 North, Range 2 East.

PURPOSE: To provide residential development with support facilities to meet the City of Chico's housing needs.

PROJECT DESCRIPTION: The proposed project would result in the fill of approximately 0.76 acres of waters of the United States, consisting of 0.05 acre of vernal pool, 0.63 acre of seasonal marsh, and 0.13 acre of drainage channel. The project will also result in the permanent impact of 0.01 acre of Dead Horse Slough for the construction of a stormwater outfall. The applicant proposes to mitigate for the loss of 0.77 acre of waters of the United States through the purchase of mitigation bank credits or pay in lieu fees on a 1:1 basis. The proposed fill would result from the grading of 38 acres that would allow for the construction of the Hignell Development Group's project known as Husa Ranch. The project will include approximately 75 single-family lots and an approximately 184 unit multi-family apartment complex (Sheet 3). Additional project components include a stormwater detention facility, an active use park, bike trail, and a levee along the southern boundary of the project.

AREA DESCRIPTION: The site is bordered on the East by Bruce Road, on the South by Dead Horse Slough, and on the North and West by existing residential development. This site is located in a rapidly urbanizing portion of the City of Chico.

The project area drains predominately from the northeast to the southwest. The project site drains into Dead Horse Slough which is just south of the project area. Dead Horse Slough continues approximately 0.75 mile past the Husa Ranch project where it discharges into Little Chico Creek.

ADDITIONAL INFORMATION: The permit application process will include the review of a complete alternatives analysis of sites and project configurations considered for the residential development. This is necessary to show that the site for the project, as proposed, is the least environmentally damaging practicable alternative.

The applicant has stated that there are no known cultural resources in the project area that are listed or eligible for listing under the National Historic Preservation Act.

Presently unknown cultural resources may be in the permit area.

The following Federally listed threatened or endangered species may be present in the permit area: Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), spring-run chinook salmon (*Oncorhynchus tshawytscha*), Central Valley steelhead (*Oncorhynchus mykiss*), vernal pool tadpole shrimp (*Lepidurus packardii*), and vernal pool fairy shrimp (*Branchinecta lynchi*). The Valley elderberry longhorn beetle, the vernal pool tadpole shrimp, and the vernal pool fairy shrimp may be affected by the project and consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act will be initiated once all required information has been submitted by the applicant. Consultation with the National Marine Fisheries Service has been initiated for potential affects to Central Valley steelhead and the spring-run chinook salmon.

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 **September 27, 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 Kenneth D. Whitney, Foothill Associates, telephone (916) 782-1011, or Mr. Matthew Kelley, at the letterhead address, telephone (916) 557-7724.

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

Enclosures: Drawings (3)