



# Public Notice

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

Public Notice Number: 200100375

Date: March 4, 2002

Comments Due: April 3, 2002

In reply, please refer to the Public Notice Number

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## 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 Porter Slough, as shown in the attached drawings.

**APPLICANT:** City Of Porterville  
291 North Main Street  
P.O. Box 432  
Porterville, CA 93258-0432

**LOCATION:** The project is located in Section 25, Township 21 South, Range 27 East, MDB&M, Porterville, Tulare County, California.

**PURPOSE:** The applicant has stated the purpose of the project is to construct a centrally located community center and elementary school to alleviate overcrowding.

**PROJECT DESCRIPTION:** The proposed project consists of the construction of an elementary school and a community recreation center on a 32-acre site. The recreation center will consist of two lighted ballfields, a restroom building, an approximately 24,000 square foot hard court area, a passive recreation area, a stormwater retention basin and related storm drain system, and an on-site parking lot.

The school facility will consist of five buildings totaling approximately 42,573 square feet. The school design calls for the construction of three classroom buildings, two kindergarten classrooms, administrative offices, and an approximately 12,000 square foot gymnasium.

Project implementation will result in the installation of two 1,070-foot long, 72 inch diameter drain pipes in Porter Slough. This will require the filling of 0.59 acres (1,180 linear feet) of Porter Slough, which is a water of the United States.

**AREA DESCRIPTION:** Approximately 1.38 acres of season wetlands exist on the site within the confines of Porter Slough. The elevation of the project site is 500 feet; it is situated on the eastern side of the Central Valley. The area is level with the exception of a minor railroad grade on the west side of the property. Porter Slough, a water of the United States, enters the project area from Plano Street in the east and exits toward Olive Street to the north. The site consists mostly of non-native grasslands.

**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. The site is bisected by the remains of an Atchison Topeka & Santa Fe railroad grade. However, a large portion of this railroad bed has already been removed. The Corps has initiated consultation under Section 106 of the National Historic Preservation Act for this site.

Five live mature blue elderberry bushes (*Sambucus mexicana*), which are critical habitat for the Federally listed Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*), are located on the project site. At the request of the US Fish and Wildlife Service, these five bushes are to be moved to a designated mitigation site. The Corps has initiated consultation under Section 7 of the Endangered Species Act for this species and its critical habitat.

The City of Porterville has proposed two alternative sites for project implementation. Alternative Site #1 is located on the north side of Springville Avenue 650 feet west of Jaye Street. The applicant feels this 14-acre site does not allow for adequate vehicular and pedestrian access. Alternative Site #2 is located on Union Pacific Property between Date Avenue and Orange Avenue. This four-acre site has safety concerns as it is bordered on the west by an active railroad line. This site may also present contamination problems due to its past use as an industrial site. The Corps is currently performing an alternatives analysis.

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 **April 3, 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 Bradley D. Dunlap of the City Of Porterville, telephone (559) 782-7460, or [Mr. Matt Hirkala](#) of the US Army Corps of Engineers, at the letterhead address, telephone 916-557-5263.

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

Enclosures: Drawings (4)